Gc
974.4
M386c
v. 74
1128409

M.L.

GENEALOGY COLLECTION

ALLEN COUNTY PUBLIC LIBRARY
3 1833 01100 3776

Massachusetts Historical Society

FOUNDED 1791

COLLECTIONS

VOL. 74

Committee of Publication

HENRY CABOT LODGE
CHARLES GRENFILL WASHBURN
WORTHINGTON CHAUNCEY FORD

# JASPER MAUDUIT

## Agent in London for the Province of the Massachusetts-Bay

## 1762–1765

The Charles Grenfill Washburn
Collection

The Massachusetts Historical Society
1918

FIVE HUNDRED COPIES OF THIS VOLUME
HAVE BEEN PRINTED FROM TYPE
BY THE PLIMPTON PRESS AND
THE TYPE HAS BEEN
DISTRIBUTED

1128409

# NOTE

A NUMBER of letters addressed to Jasper Mauduit, when agent in London for the Province of the Massachusetts-Bay, were sold at auction in London in 1916, and were purchased by Mr. Charles G. Washburn, a member of this Society. The series proved of high historical and personal interest, and Mr. Washburn not only presented the manuscripts to the Society but offered to pay the expense of publication. This volume contains all the papers in the Washburn collection, together with a few taken from the Archives of the Commonwealth of Massachusetts, which seemed necessary to complete the relation. The position and activities of a colonial agent have not heretofore been so fully told, and in no other collection have the local and personal politics attending the election and service of such an agent been displayed.

WORTHINGTON CHAUNCEY FORD.

BOSTON, *January*, 1918.

# CONTENTS

PAGE

PREFACE, by Charles G. Washburn . . . . . xvii

1760

July 14. THOMAS HUTCHINSON TO WILLIAM BOLLAN 3

Sends accounts and declarations. Explanation of pay-rolls. Seamen and special winter service at Louisburg and Nova Scotia. Special grant should be made.

1761

January 8. MILITARY ACCOUNTS FOR 1759 . . . . 8

May 8. WILLIAM BOLLAN TO THE SPEAKER. . . . 15

Hearing by the Lords Commissioners for Trade and Plantations on the Fee act. Lotteries disapproved. A suspending clause in acts. Decision postponed.

June 6. THOMAS HUTCHINSON TO WILLIAM BOLLAN . 19

Sends the Military accounts for 1759. Comments on the figures.

June 17. ANDREW OLIVER TO WILLIAM BOLLAN . . 21

Finds no letter from Amherst or Durell. Documents transmitted.

December 19. THOMAS HUTCHINSON TO WILLIAM BOLLAN . . . . . 22

Sends certificate by General Amherst. Burden of pay and bounty assumed by the province. Numbers of men in service.

1762

February 12. WILLIAM BOLLAN TO ANDREW OLIVER 24

Parliamentary grant for service in 1761. Loan to the province by General Shirley. Time of paying exchequer orders. A suspending clause in acts. Has no power to receive grant for 1760. The parliamentary order.

# Contents

March 15. William Bollan to the Speaker . . 28

Examination of titles, rights and liberties of the colonists. Sends first part of such a work — *Coloniae Angliae Illustratae.*

April 23. James Otis, Jr., to Jasper Mauduit. . 29

Informs him of his election as agent of the province. American episcopalians and dissenters. Manner of his election. Some of his friends.

April 24. Thomas Hutchinson to William Bollan 32

Mauduit has been chosen agent. Declined to serve on the committee to prepare instructions.

April 24. Andrew Oliver to Jasper Mauduit. . 33

Notification of his election. Parliamentary grants and bills of exchange drawn against them. The special allowance for special service. Papers from Bollan.

April 24. Andrew Oliver to Jasper Mauduit. . 36

Use of his letter on his health. Richard Jackson to assist him.

April 26. Jonathan Mayhew to Jasper Mauduit 37

Congratulations on his election. Bollan's character and abilities. Prays for his health.

June 15. Instructions to Jasper Mauduit . . . 39

The natural rights of the colonists. Political and civil rights. Liberty and allegiance. Equal privileges with British subjects. Increase of Great Britain in numbers and wealth. Connection between Britain and her colonies. What Massachusetts has done. Power of legislation under the charter. Reasons against a suspending clause.

June 21. Samuel Martin to Jasper Mauduit. . 55

Parliamentary grant for 1761 will be distributed, if the agents of the colonies can agree.

# Contents

June 25. Letter of the Colony Agents . . . . 55
Agreement on distribution of the parliamentary grant.

June 25. Treasury Minute . . . . . 57
Order suspending a distribution of the grant.

July 8. Note by William Bollan . . . . . 58
On advising Mauduit.

July 9. Treasury Minute . . . . . 59
Order for distributing the parliamentary grant.

July 15. Edmund Trowbridge to William Bollan 60
On managing Bollan's investment in the province's debt. Measures taken to carry out his wishes. Shipment of gold and silver. The election of Mauduit. Hopes to see him soon in America.

October 12. Thomas Cushing to Jasper Mauduit . 68
Contributed to secure his election. Sending of public letters. The grant of Mt. Desert to Bernard. Issue of charters by the Governor.

October 12. Charles Chauncy to Jasper Mauduit 71
Bernard and the charter for a new college. Wishes him success as agent. A note from Bollan. Sends a sermon.

October 27. Jasper Mauduit to Harrison Gray. 74
Conversion of the Indians and the new society.

October 28. James Otis to Jasper Mauduit. . . 76
Is pleased by his election to the agency. Difficulties in the way of appointing his brother. Bollan's career and connections. Hutchinson's pretensions to the agency. Bernard's position. Address of letters. Oliver and the college charter. Advises frequent communications.

November 2. Andrew Oliver to Jasper Mauduit. . . . . 81
Sends accounts of expenses for 1761. A word of explanation. Amherst's certificate.

## Contents

November 2. Military Accounts for 1761 . . . . 82

November 17. Jonathan Mayhew to Jasper Mauduit . . . . . 86

Is anxious about his health. His brother as associate agent. Cause of the protestant dissenters. His brother not elected. Sends a sermon.

December 8. Harrison Gray to Jasper Mauduit 88

Sends schedules of bills of exchange.

December 20. Andrew Oliver to Jasper Mauduit 89

Sends documents on the winter service, and extracts from General Amherst's letter, with his certificate.

1763

January 11. Andrew Oliver to Jasper Mauduit 91

Order for a wig and watch.

January 29. Speaker of the House to Jasper Mauduit. . . . . 91

House approves his conduct and gives vote of thanks. Documents to be transmitted. Economy prevents appointment of his brother.

February 7. Andrew Oliver to Jasper Mauduit 92

House approves what he has done on the parliamentary grants. General Amherst's certificate and further evidence of service. His brother's employment by the Province.

February 14. James Otis to Jasper Mauduit . . 95

Efforts to secure engagement for Israel Mauduit. Jackson will never be agent. Goldthwait's attack and a newspaper controversy. Weakness of the present administration. Influence of the Lieutenant Governor.

February 19. Harrison Gray to Jasper Mauduit 97

Bills of exchange drawn upon him.

February 22. Speaker of the House to Jasper Mauduit. . . . . 98
Bollan's accounts and stoppages.

April 8. Jasper Mauduit to the Speaker. . . . 98
On the stoppage of £10,000 from the parliamentary grant. Why he cannot petition the Board of Treasury and Parliament. Duty on French molasses postponed.

April 25. Mauduit's Accounts . . . . . 102

May 3. Harrison Gray to Jasper Mauduit . . 103
Mayhew's observations on the charter of Society for the propagation of the Gospel. A correction.

—— Dr. Mayhew's Observations . . . . . 104
[Note by the Editor.]

May 4. Charles Chauncy to Jasper Mauduit . 115
Offer of service. Reasons for preferring him to Jackson. Opposition of the English Society to an American Society for converting the Indians. Quality of incorporators. Delay will cause embarrassment. Will receive a letter from the associated pastors.

May 6. Charles Chauncy to Jasper Mauduit . . 118
Pastors have decided against sending a letter.

June 1. Andrew Eliot to Jasper Mauduit . . . 119
Thanking him for his interest in the college. Great concern over the opposition to the charter for American Society.

June 8. Petition of Samuel Harnden . . . . . 120
On recovering Mehitabel Preble, a captive of the Indians, and now in France.

June 30. Thomas Cushing to Jasper Mauduit . 123
On associating Israel Mauduit in the agency. Bernard acting in Jackson's favor. Will be policy to wait. Desires to trade in woolen goods.

August 2. Harrison Gray to Jasper Mauduit . 125
Notice of bills drawn against the grant of Parliament.

August 23. Harrison Gray to Jasper Mauduit . 126
Sends a copy of the list of bills drawn.

September 12. Thomas Cushing to Jasper Mauduit 127
Rumors of his want of health and desire to have his brother the agent. Objection raised. Should not publicly express his intention to resign. Strength of Jackson.

September 23. Harrison Gray to Jasper Mauduit 126
Schedule of bills drawn. Introduces Edmund Quincy.

October 28. Thomas Cushing to Jasper Mauduit 130
The act of Parliament for improving his Majesty's revenue from customs. Bollan would have sent information. Act should be repealed. Who may be consulted on the trade with the West Indies. Nature of this commerce. The fishery. May take up manufactures. Advantage from trade centering in Great Britain. Rate of duty on molasses suggested.

November 10. Thomas Cushing to Jasper Mauduit 135
Sends Bollan's statement of the controversy between the sugar and the northern colonies. References to writers on trade.

November 11. Thomas Cushing to Jasper Mauduit . . . . . 136
Seizure of a brigantine from France. An illustration of effect if molasses act be enforced. Prorogation of the General Court. No revenue can be gained from a high duty. Smuggling will be encouraged.

December 14. Royal Warrant . . . . . 139
Distribution of the grant by Parliament among the American colonies.

1764

February 3. Order of the General Court . . . 142
For Mauduit's charge of his agency.

February 6. Thomas Hutchinson to William Bollan . . . . . 143
Move to elect an agent to go to England. Was perplexed by his own election. Have written to Lord Halifax for leave. Will go only if he can serve the Province.

February 7. Harrison Gray to Jasper Mauduit . 145
Sends account of bills drawn. Reason for electing Hutchinson agent.

February 11. Thomas Cushing to Jasper Mauduit 145
Instructions on the molasses act are being prepared. Taxes should originate with the people. Measures of Parliament and the special agency. Hutchinson elected and excused at his own request. A stamp tax. Bollan's and his own accounts. Jackson's support. A fire at Harvard College.

February 14. Israel Mauduit to —— . . . . . 150
Acknowledges tracts on Mayhew controversy.

March 29. Thomas Cushing to Jasper Mauduit . 151
Trusts he will come to no sudden determination on the agency. His resignation would surprise his friends.

April 3. Andrew Oliver to Jasper Mauduit . . 151
Sends papers and documents. Action of the General Court on the agency. Sewall's opinion on Martyn's will.

April 5. Jasper Mauduit to [Secretary Oliver?] 153
Incloses his accounts. They follow in detail.

April 7. Harrison Gray to Jasper Mauduit . . 157
An error in drawing bills.

May 12. Mauduit's Accounts . . . . . 157

April 9. Thomas Cushing to Jasper Mauduit . . 158

The memorial on the molasses duty. Instructions should have been sent earlier. Effects of a duty of two pence. If diverted from trade must live within themselves.

June 22. Thomas Cushing to Jasper Mauduit . . 160

The instructions on molasses and stamp duties. Hutchinson and the agency. Question between Jackson and Mauduit's brother. His order for woolens. Introduces Thomas Bromfield.

July 11. Thomas Hutchinson to —— . . . . . 163

Injudicious conduct of the House of Representatives. Their letter to their agent, and how it was adopted. Would never have served under such instructions. Policy for the colony to pursue.

October 4. Thomas Hutchinson to William Bollan . . . . . 165

Not conscious of having neglected him. Have never had a difference with Mr. Pownall. His accounts.

November 12. Thomas Cushing to Jasper Mauduit . . . . . 167

Right of self-taxation asserted. Other colonies have remonstrated. Question of the agency. The boundary disputes.

November 17. Thomas Cushing to Jasper Mauduit . . . . . 170

Introducing Bela Lincoln. Petition on the right of the colonies to tax themselves.

November 28. The General Court to Jasper Mauduit . . . . . 171

The molasses duty. Fees in the French islands. Difficulty of paying for goods. Wine trade. Consequences of enforcing the duty on molasses. Prices and revenue. The timber trade. Benefits derived from the colonies.

1765

September 4. Jasper Mauduit to the Speaker . 180

Indignant over the resolution of the General Court, voting him his salary. His services and sacrifices. Appointment not of his seeking. The salary of a private steward. Takes five hundred pounds for his compensation.

1767

Andrew Oliver to Jasper Mauduit . . . . . 184

Society business and a bill for Harvard College.

Index . . . . . 187

# PREFACE

THESE letters and papers, including military accounts for 1759 and 1761, cover a period beginning July 14, 1760 and ending on September 4, 1765, although there is one unimportant letter written something over two years later. They relate to the agency in London of the Province of Massachusetts Bay and concern two of the agents: William Bollan, who was agent from 1746 to 1762, and Jasper Mauduit, who succeeded him and whose agency terminated in January, 1765.

The correspondence commences three months before George III succeeded to the throne and at the time when the power of France in America was broken, a condition formally recognized three years later, in 1763, in the Treaty of Paris. The Province was governed by the Charter of William and Mary and had been since 1691, when the Colony of Massachusetts Bay in New England and the Colony of New Plymouth in New England, together with the Province of Maine and the territory called Acadia or Nova Scotia, were united under the name of the Province of Massachusetts Bay in New England.

At the head of the Government was the royal Governor appointed by the King during his pleasure. He had a full veto over legislation, was the Captain General of the Militia, the Chief Executive officer of the Province and the King's personal representative. His Honor, the Lieutenant Governor, also appointed by the King, succeeded to the functions, though not to the title of Governor, upon the latter's removal, absence or death. The King reserved

to himself admiralty jurisdiction in order to enforce the commercial acts of Parliament. Owing largely to the Governor's dependence for his salary on the House of Representatives, the latter gradually acquired control of the Province. By 1745, the royal Governor became little more than an administrative figure head dependent upon his personal influence for what little power he was able to exert.

The first letter is from Thomas Hutchinson, then Lieutenant Governor, to William Bollan, dated July 14, 1760, and relates to military expenditures by the Province of Massachusetts Bay, which it was urged should be paid out of the Parliamentary grant.[1] This was followed by five letters to Bollan and one to an undisclosed correspondent, making seven in all. In one letter Hutchinson writes to Bollan that the latter has been dismissed from the agency and adds: "I made what opposition to it I could, but the Terror of election which is just at hand prevailed over all other considerations."

He also writes later in regard to his own election as agent to succeed Mauduit, which he declined. So much is known of Hutchinson that it is unnecessary to make further reference to him here. Comments upon him in this correspondence emphasize the fact that he was less well thought of in Boston in 1760 than he is in 1918.

William Bollan writes three letters. He came from England in 1740 and was a son-in-law of Governor William Shirley. James Otis in one of his letters in this collection speaks of him as little more than the agent of his father-in-law and the "Shirlean faction," "a motley mixture of high churchmen and dissenters who, for the sake of the

[1] A letter from Jasper Mauduit to the Speaker, December 10, 1763, on this subject is in 1 *Collections*, VI. 189.

offices they sustain, are full as high in their notions of prerogative as the churchmen." Otis may have been unduly critical. Bollan seems to have stood up stoutly for the rights of the Province in 1749, when he opposed a bill to overrule charters and make the orders of the King the highest law; in 1750, when he resisted an order forbidding smiths to erect mills for slitting or rolling iron; and in 1751, when he resisted a bill to restrain bills of credit without the King's instructions on the ground that the Province had a perfect right to make use of its credit for its defence.

In a letter to the Speaker, Bollan said that the Lords Commissioners for Trade and Plantations had under consideration an act passed by the General Court in February, 1760, for regulating fees. The Lords of Trade urged two objections: that it repealed a perpetual act of the 4th of William and Mary which had the royal approbation, and that the act repealing it should have contained a clause suspending its force until the King's determination was declared.

The charter provided that laws should continue in force in case his Majesty should not signify his disallowance within the time limited. Bollan was instructed "to defend to the utmost the General Court's power of legislation in its full extent according to the aforesaid charter." Lord Sandys "inveighed against four acts for lotteries," as mischievous in their nature, destructive to labor and industry and introductive of the spirit of gaming, ever attended with many ill consequences." In spite of this pious protest, the British Government continued annually to raise considerable sums by lotteries until 1824. The hint in Bollan's letter, however, caused Governor Bernard to refuse to authorize a lottery for Harvard College without submission to the Lords of Trade.

Andrew Oliver writes nine letters, one to William Bollan and eight to Jasper Mauduit. He must not be confused with his younger brother Peter, Chief Justice of the Superior Court of Judicature, who declined to refuse to receive his salary from the Crown and was therefore impeached.

Andrew Oliver was a brother-in-law of Hutchinson and favored the British; he was said to be avaricious and greedy for office; he was stamp distributor at a later period, which led to the swinging of his effigy on a bough of the great elm tree. His correspondence relates to the military accounts and other business, including the boundary dispute between Massachusetts and New York; and contains a personal request that Mauduit send him "a Bob wig, about two guineas price and a fashionable watch for his son, as good as can be for six guineas." The following were the directions for the barber: "A bob wig for Mr. Oliver of a middling size, rather deep in the head and large in the Ribon, than any ways under size; and he is desired to keep the measure by him to serve hereafter."

James Otis, the younger, contributes three letters — all to Mauduit. Speaking of Otis, John Adams wrote in 1818:

> The resistance to the British system for subjugating the Colonies began in 1760, and in the month of February, 1761, James Otis electrified the town of Boston, the Province of Massachusetts Bay, and the whole continent, more than Patrick Henry ever did in the whole course of his life. If we must have panegyric and hyperbole, I must say, that if Mr. Henry was Demosthenes and Mr. Richard [Henry] Lee, Cicero, James Otis was Isaiah and Ezekiel united.

In these letters Otis expresses apprehension that there is a scheme for sending a Bishop "into these parts" and that our Governor, Mr. Bernard, is deep in the plot. He expresses the hope that Israel Mauduit may be associated

with his brother as joint agent. He speaks of Lieutenant Governor Hutchinson as at the head of the High Church party, and refers to his "superficial acts of intrigue" which gave him many offices and enabled him to fill "the Supreme Court of Judicature with his friends and the other Courts with his relations and dependants." This seems to have been a weakness of the times, for, in 1771, when Hutchinson was Governor and Andrew Oliver, Lieutenant Governor, Samuel Adams wrote to Arthur Lee:

> You will then not be surprised if I tell you that among the five judges of our Superior Court of Justice there are the following near connections with the first and second in station in the Province: Mr. Lynde is Chief Justice; his daughter is married to the son of Mr. Oliver, the Lieutenant Governor; Mr. Oliver, another of the judges, is his brother; his son married Gov. Hutchinson's daughter and Judge Hutchinson lately appointed, who is also Judge of the Probate of Wills for the first County, an important department, is the Governor's brother. Besides which, the young Mr. Oliver is a Justice of the Common Pleas for the County of Essex. Mr. Cotton, a brother-in-law of the Governor, is deputy secretary of the Province and Register in the Probate office under Mr. Hutchinson; a cousin german of the Governor was sent for out of another province to fill up the place of clerk to the Common Pleas in this county and the eldest son of the Governor will probably soon be appointed a Justice of the same Court in the room of his uncle advanced to the Superior bench. I should have first mentioned that the Governor and the Lieutenant-Governor are brothers by marriage.

Otis, in one letter, speaks of the hostility of Governor Bernard to making Israel Mauduit agent with his brother and adds: "if we can get a vote in the House, it will be as much as the Governor's salary and quiet are worth to negative him." A little later he says: "A letter now and then to the whole General Court would not be amiss; but the House of Representatives must be your constant

correspondent. With a Governor, we think our Agent beyond meer civility has little to do."

James Otis wrote to Mauduit, February 14, 1763, that the failure to appoint Israel Mauduit was due to the Governor and his dependents. The Governor, Lieutenant Governor and Secretary Oliver, were said to have been the chief opponents because of an alleged prior committal to Mr. Jackson, of whom mention will be made later. Hutchinson, the Lieut. Governor, as it seemed, wished himself to be Agent. Suggestion is also made that there is a newspaper war commenced against Mauduit. Otis says further:

> I really fear this poor Province will be undone under the present administration, which is the weakest and most arbitrary that we have known since the revolution. If either the Governor could be removed to some better place, and a wiser man sent in his room, that would act for himself, or if the Lieut. Governor could be confined to anyone or two great posts, as Chief Justice, or anything but Governor in Chief, we might do well enough. But while he has all the real power of the Province in his hands but the militia, a much wiser Governor than I have yet seen must submit to him or live in perpetual broils. . . . England will ultimately be hurt by the growth of arbitrary power in hands of plantation Governors.

It is interesting to notice how gradually the conviction took root that the independence of the province must be asserted. Not one of the American agents in England imagined that the Colonies would think of disputing the stamp act at the point of the sword, and even Otis said "it is our duty to submit."

In the instructions to Jasper Mauduit, as to his conduct as agent, is found the expression, "we shall ever pray that our sovereign and his posterity may reign in British America till time shall be no more." And yet it is not surprising that the spirit of independence should have

grown strong between the time of the first settlement in 1620 and the Revolutionary War. The people of Plymouth Colony were left pretty much to themselves, until 1691, when they were united with the Colony of Massachusetts Bay by the Charter of William and Mary. The people of Massachusetts Bay were quite independent under the Charter granted by Charles I in 1629, which gave them extensive powers amounting to self-government. This Charter was annulled by a writ of *quo warranto* in 1684. Thus, for many years the people of Plymouth Colony and the people of Massachusetts Bay were unvexed by any outside interference with the administration of their own affairs.

Jonathan Mayhew writes two letters to Jasper Mauduit. Mayhew was a famous preacher and controversialist minister, perhaps the best known of that period. He was the son of Rev. Experience Mayhew, the missionary to the Indians. Jonathan Mayhew was born in 1720, graduated from Harvard College, and, in 1747, was ordained minister of the West Church in Boston. John Adams said of him:

> This divine had reputation both in Europe and America, by the publication of a volume of seven sermons, in the reign of King George and Second, 1749, and by many other writings, particularly a sermon in 1750 on the subject of passive obedience and non-resistance, in which the saintship and martyrdom of King Charles the First are considered, seasoned with wit and satire superior to any in Swift or Franklin. It was read by everybody — celebrated by friends, and abused by enemies. . . . Mayhew seemed to be raised up to revive all the animosities against tyranny, in church and state, and at the same time to destroy their bigotry, fanaticism and inconsistency. . . . To draw the character of Mayhew would be to transcribe a dozen volumes. This transcendent genius threw all the weight of his great fame into the scale of his country in 1761, and maintained it there with zeal and ardor till his death in 1766.

He was called by Robert Treat Paine "the father of civil and religious liberty in Massachusetts and America."

In 1701, there had been established in England the "Society for Propagating the Gospel in Foreign Parts." This was thought by many to be a society for propagating the hierarchy, especially in New England.

In 1763, Jonathan Mayhew published his *Observations on the Charter and Conduct of the Society*, in the course of which he not only attacked the society for sending missionaries into New England, but also took occasion to censure the proposed scheme for the introduction of an American Episcopate. He quoted from St. Paul's epistle to the Galatians, describing the society's missionaries as "Brethren unawares brought in, who came in privily to spy out our liberty which we have in Christ Jesus, that they might bring us into bondage: To whom we gave place by subjection, no, not for an hour; that the truth of the Gospel might continue with you."

Several answers were made to these observations, among them a broadside which illustrates the methods of controversial arguments of the day, in which Mayhew is referred to as "A certain Jonathan Mayhew," and in which is found the statement: "And if he were treated according to his demerits, a strong toed shoe, or an oaken plank well applied would be quite gentle and seasonable . . . and . . . if the said Mayhew should print any more such foul mouthed anonymous papers, tending to vilify characters," concludes the advertiser, "I will advertise him again in such a manner, as that his whole character shall be known."

The pamphlet that attracted most attention was the so-called answer written by Secker, Archbishop of Canterbury, of which someone said after his death:

As to Secker, he is laid in his grave; disturb not his slumber. His character no more than his body, can endure the keen question of the searching air: Unless you would give another specimen of your friendship, cause him not to stink to futurity.

Mayhew replied to Archbishop Secker's "answer," and this reply was in turn answered in a pamphlet by the Reverend East Apthorp, an Episcopal missionary in Cambridge. The question had a decided influence on the history of the time.

John Adams writing on the causes of the Revolution said:

If any gentleman supposes this controversy to be nothing to the present purpose, he is greatly mistaken. It (the plan of episcopizing the colonies, especially New England) spread an universal alarm against the authority of Parliament. It excited a general and just apprehension, that Bishops and diocese and churches, and priests and tithes were to be imposed on us by Parliament. It was known that neither King, nor ministry, nor archbishops, could appoint Bishops in America without an act of Parliament; and if Parliament could tax us, they could establish the Church of England, with all its creeds, articles, tests, ceremonies and tithes, and prohibit all other churches as conventicles and schism shops.

Rev. Henry Caner, Rector of King's Chapel, writing to Archbishop Secker, January 7, 1763, said: "We are a rope of sand; there is no union, no authority among us. We cannot even summon a convention for united council and advice, while the dissenting ministers have their monthly, quarterly, and annual associations, conventions, etc., to advise, assist and support each other in many measures which they shall think proper to enter unto."

A year earlier, in 1762, Mayhew, in a letter to Thomas Hollis, of London, speaks of the incorporation by the General Court of a considerable number of persons by the name of the Society for propagating Christian knowledge

among the Indians of North America. The Act of Incorporation was sent home for His Majesty's approbation, without which it could not take effect. "We are not without apprehensions," said Mayhew, "that our good friends of the Church of England will endeavor to obstruct this scheme, but hope to no purpose." The Privy Council, however, reported against the act of incorporation. Mayhew is quite certain, so he says, that Mauduit is much more likely to serve the Province than "a gentleman of the Church of England," which, by the way, was one of the reasons for dismissing Bollan, to whom the reference is made. An interesting illustration of the delays incident upon correspondence between Boston and London is found in one of Mayhew's letters, which he held from November 17, 1762, until February 21, 1763, for "a convenient opportunity of conveyance."

Samuel Martin, in behalf of the Lords Commissioners of His Majesty's Treasury, writes from the Treasury Chambers to Mauduit under date of June 21, 1762, in regard to the "Memorials of the Agents of the Several Colonies" asking for a distribution of the £200,000 granted by Parliament in 1761 as compensation for expenses incurred in 1760 by the colonies for the troops. The reply of the Colony agents follows, dated London, June 25, 1762.

Then follows a Treasury Minute, dated White Hall, Treasury Chambers, June 25, 1762. Present: The Earl of Bute, Sir Francis Dashwood, Lord North, Mr. James Oswald, Sir John Turner. The Earl of Bute was Prime Minister in 1762. Sir Francis Dashwood was Chancellor of the Exchequer. His financial statement in 1762 was very much confused and was received by the House of Commons with roars of laughter. He exclaimed "What shall I do? The boys will point at me in the street and

cry, 'There goes the worst Chancellor of the Exchequer that ever was.'"

This Treasury Minute considers the application of the Agents of the Colonies and also a separate claim from Mauduit in behalf of Massachusetts Bay for money expended in raising and paying troops for Garrisons at Louisburg and Nova Scotia in the winter of 1759. In view of this claim, it was decided not to order any apportionment until a proper certificate should be received from General Amherst.

Bollan's advice had evidently been asked in this matter by Mauduit for he declines to give it on the ground that as he had been dismissed from the office, it could not be valued.

A Treasury Minute, dated Treasury Chambers, 9th July, 1762; Present: The Earl of Bute, Sir F. Dashwood, Lord North, Mr. Oswald. Sir John Turner states that out of the £200,000, £10,000 is to be withheld to satisfy any extra claim of Massachusetts and that the balance of £190,000 is to be distributed among the Provinces. And in a Royal Warrant, dated December 14, 1763, by his Majesty's command, George Grenville, John Turner, Thomas Orby Hunter, £3,000 out of the £10,000 claimed is given to Massachusetts, and the balance is distributed among all the Provinces, of which Massachusetts received £2,190.

Edmund Trowbridge writes a long letter to William Bollan under date of July 15, 1762, in regard to the repayment to Bollan of money lent by the latter to the Province. Edmund Trowbridge was an eminent lawyer, Atty. General in 1749; in 1764–1765, a member of the Council; and later Justice of the Superior Court of Judicature of the Province of Massachusetts Bay. John Adams wrote in his diary in 1771: "I went this evening, spent an hour and took a

pipe with Judge Trowbridge at his lodgings. He says, 'You will never get your health till your mind is at ease. If you tire yourself with business, but especially with politics, you won't get well.' I said, 'I didn't meddle with politics nor think about them;'—'except,' said he, 'by writing in the papers.' 'I'll be sworn,' says I, 'I have not wrote one line in a newspaper these two years.'"

Thomas Cushing writes thirteen letters to Jasper Mauduit. He was a member of the General Court, Speaker of the General Court, Judge of the Court of Common Pleas and Probate in Suffolk, a member of the first and second Continental Congresses, afterwards for several years, Lieutenant Governor of Massachusetts; an associate of Otis, Samuel Adams and Hancock.

In 1773, Cushing, when Speaker, commenting upon Samuel Adams' desire for a Congress on "the plan of union proposed by Samuel Adams," advised that the people, for a time, should bear their grievances, and said, expressing the conservative view: "Our natural increase in wealth and population will, in a course of years, settle this dispute in our favor; whereas, if we persist in denying the right of Parliament to legislate for us, they may think us extravagant in our demands and there will be great danger of bringing on a rupture fatal to both countries."

Adams, on the contrary, expressed the radical view: "When our liberty is gone, history and experience will teach us that an increase of inhabitants will be but an increase of slaves."

In his letter of October 12, 1762, Cushing, then a member of the General Court, congratulates Mauduit upon his appointment and then gives him some advice as to his conduct. He suggests, for example, that he write the Speaker of the House as well as the Secretary, as his pre-

decessor Bollan had done. He also expresses satisfaction that the agent is likely to succeed in preventing the Governor's obtaining the sole right to grant charters, and adds, "It has been the constant practice here for the three branches of the legislature to grant all charters, and it will bode ill to the privileges of this people if this right should be taken from them and vested solely in a Governor."

A little earlier than this, in April, 1762, a scheme was proposed to found another college in the Province, which may have been one of the "annoying" matters that Cushing refers to in his letter. The plan was projected in the "Western extremity of the Province." A bill proposed to carry the plan into effect passed the House and was rejected by the Council, because the college was to be invested with University powers and the Province could not support two universities.

Whereupon, Governor Bernard was applied to and he ordered a Charter to be made out under the Province Seal, giving no other power than to hold land and money, to sue and be sued. Objection persisted, however, on two grounds, that it would injure the old College and would be injurious to the rights of the people. So much objection was made, that the matter was dropped. The Governor insisted that as the granting of the Charter is a right belonging to the King's seal and as the Charter of the Province is silent on the subject, the right attached to the King's seal within the Province. The Governor adds, "It, however, persuaded me that it would be necessary to guard against the King's right being impeached by an usage of granting incorporation by act only."

Cushing speaks of Mauduit's desire to associate his brother Israel with him in the agency and then writes in several letters of the "Sugar Act."

In 1763, England determined to levy direct taxes upon the colonies, not only for their own military defence, but also as a contribution to the payment of the British war debt. George Grenville, who, says Macaulay, knew of "no national interests except those expressed by pounds, shillings and pence," became prime minister in 1763. His first measure was that known as the "Molasses or Sugar Act," reviving an old law of 1733 for enforcement in the American Colonies. The act was meant to protect West Indian sugar planters and it laid a heavy duty upon all sugar and molasses, necessary in the manufacture of New England rum, imported into North America from the French West Indies.[1]

Writing under date of November 11, 1763, Cushing said: "If the duty of six pence per gallon is continued and rigorously exacted, all must desist altogether from importing molasses or run it in clandestinely." Again under date of January, 1764, he spoke of a large committee of both houses to consider how our trade is affected by the Act of Parliament laying a duty upon molasses; and suggests that we can't admit the right of Parliament to tax our trade. In February, 1764, he speaks of instructions having been forwarded, of Hutchinson's election to the joint agency and his declination and the absence of any necessity for sending him, if the affair of the duties upon molasses can be settled this winter; speaks of the attempt of the Ministry to obtain a stamp act laying a duty upon all writings in the Colonies, and expresses the conviction that Mauduit will oppose strenuously such an attempt with all other projects of a like nature; refers to a settlement of

[1] See 1 *Collections*, IX. 268, where Mauduit gives an account of a conference between Grenville and the colony agents. In *Ib.*, VI., are two letters of Mauduit on the molasses duty.

Mr. Bollan's accounts and advises frequent settlements with Mauduit; refers to the removal of the Court to Cambridge because of small-pox in Boston and of the destruction by fire of college buildings in which the General Court sat, together with the library and apparatus; and, in a letter in March, 1764, refers to Mauduit's ill health, his disposition to resign, the likelihood that Hutchinson might desire to succeed him. In April, 1764, he acknowledges Mauduit's letters of December 24 and February 11 preceding, relative to the "Sugar Act"; and regrets that contrary to instructions he had conceded any duty: "the sum at first thought of," wrote Mauduit in March, 1763, "was four pence. But Mr. Grenville seems to be now satisfied with two pence. We are endeavoring at a penny. It will not probably be more than two pence. All that the duty can be brought to under that must be reckoned as gain."

In June, 1764, Cushing speaks of a session of the General Court at Concord and of Mauduit to get the act laying a duty of three pence per gallon on molasses repealed and to oppose most strenuously any stamp act; speaks of Hutchinson as a possible agent, and in this connection of Richard Jackson, who has been referred to before. Jackson was at different times agent for Connecticut, in 1762, a law officer of the Board of Trade, a member of Parliament and Secretary to George Grenville. His learning was so wide that he was known as "Omniscient Jackson," although Dr. Johnson, thinking omniscience an attribute of the deity, preferred to speak of him as the "all-knowing" one. In this letter, Cushing also speaks of the dispute among the Provinces about boundary lines, and, incidentally of his desire to re-enter the woolen trade. This was a natural suggestion, as Jasper Mauduit

and his brother Israel were in the woolen business in Lime street in London.

In November, 1764, Cushing refers to a petition from the Council and House of Representatives to the House of Commons in which "they have expressly asserted their exclusive right of taxing themselves and have endeavored to prove that the subjects here ought not to be taxed without their consent, either in person and by their representatives." Also to the matter of a successor to Mauduit in the agency and to a dispute as to the boundaries between Massachusetts and the provinces of New York and Connecticut.

Cushing writes to Mauduit again, November 17, 1764. It was a letter of introduction to Bela Lincoln, son of a member of the Council and himself a member of the House of Representatives from the town of Sherburne, and contains the opinion that the House was for a clear declaration of the right of the people to tax themselves, but that the Council would not go so far, and therefore that the petition sent was in the nature of a compromise.

The General Court sent a long communication to Jasper Mauduit under date of November 28, 1764, in which the opinion was expressed that the duty laid upon molasses was so high as to amount to an absolute prohibition. It was thought that with no duty, there might be a profit of a penny a gallon on rum, but with a duty of three pence there would be a loss of two pence. The restriction upon other branches of trade are also touched upon.

Charles Chauncy writes three letters. He was a great grandson of Charles Chauncy, President of Harvard College, and was Pastor of the First Church at the age of twenty-two and for sixty years. He was attached to the civil and religious liberty of the country and firmly con-

vinced of the justice of the cause of the Colonies. Next to Jonathan Edwards and Jonathan Mayhew, he was the most widely known among the great New England divines. In 1766, he preached a sermon on the occasion of the repeal of the stamp act from the text, "As cold waters to a thirsty soul, so is good news from a far country."

John Adams, in speaking of stoicism, refers to a declaration of our excellent and blessed, though once passionate Dr. Chauncy, that he had "found by experience that a man could lie all night upon his pillow under the most excruciating torment of toothache, headache, rheumatism and gout, unable to sleep a wink, without uttering a groan, sigh or syllable." Speaking of the proposed charter to another college, Chauncy expresses the opinion that Governor Bernard would not grant it, and adds: "it will be ruinous to the Province in a religious as well as civil respect, should the Governor be allowed to grant charters by his own single power." Chauncy also conveys the information that Bollan is only a "complimental" friend of Mauduit, and that Oliver is a friend of Bollan's friends.

Chauncy writes Jasper Mauduit under date of May 4, 1763, commends him for "getting the money our late agent was not able to do," and expresses the opinion that the General Court, as well as others, thought that Mauduit had more influence than Bollan. He also speaks of the incorporation of the new society to work for the conversion of the heathen as something to be desired and forwarded, and expresses surprise that the Archbishop of Canterbury and the "Society for the propagation of the Gospel in foreign parts" should oppose the incorporation. He again writes Mauduit May 6, 1763, upon the same subject.

Jasper Mauduit contributes four letters. In October, 1762, to Harrison Gray, Treasurer and Receiver General

of the Province, he "Commends the zeal shown by the gentlemen of the Province in the conversion of the Canadian Indians."

In April, 1763, he writes to the Speaker as to payments for the Province for military service in connection with which he desired to have his brother's assistance, says that the bill for lowering the duty on French molasses has been put off another year; sends his accounts to Secretary Oliver in April, 1764, and says — in October — that, because of his ill health, he wishes an agent appointed in his place. January 24, 1765, Richard Jackson was appointed; Mauduit turned over all his papers by May 1, 1765. The General Court allowed him the usual commission on money expended and paid him £100 per year salary during his term of service. This drew from Mauduit an indignant letter to the Speaker, dated London, September 4, 1765, in which he says that he regards the offer of £100 a year salary as an affront. After an enumeration of his various services, he says, "I will not accept of a vote which, in the terms of it, appears to me to carry insult added to ingratitude."

Harrison Gray writes eight letters in regard to financial matters. He was Treasurer of the Province, and apparently somewhat weak and vacillating. "Gray," said John Adams, "has a very tender mind, is extremely timid," and adds: "In 1764, 1765, Harrison Gray, Esq., Treasurer of the Province, was as open and decided an American as James Otis. In 1766, Dr. Mayhew, who has been an oracle to the Treasurer, died and left him without a mentor. Had Mayhew lived, it is believed that Gray would never have been a refugee. But the seducers prevailed, though he had connected his blood with an Otis by marrying his beautiful daughter to a brother of the *Great Patriot*, James

Otis, Jr." There is also an extract from a letter from General Amherst to his Excellency the Governor, dated New York, October 31, 1762, dealing with certificates of the number of troops levied, clothed, etc., by each Province, in 1760, 1761, 1762.

General Jeffrey, Lord Amherst, as Major General, commanded at the capture of Cape Breton and took Ticonderoga from the French in 1759. He had an important part in the conquest of Canada in 1760, and was Commander in Chief of armies in America until 1763, when he was appointed Governor of Virginia.

Timothy Ruggles, Speaker in 1762–3, wrote two letters to Jasper Mauduit. Ruggles was one of the best lawyers in the Province. In 1758–60, he was Brigadier General under Lord Amherst, was leader of the King's party in the General Court and Chief Justice of the Court of Common Pleas. In 1759 he kept a tavern in Sandwich and practiced law, dividing the business with the elder Otis. When the British troops evacuated Boston in 1775, he went with them.

He writes Mauduit under date of January 29, 1763, and says, among other things, that motives of economy prevented the appointment of Israel Mauduit as associate agent; but it appears that the House on January 17, and the Council on January 19, joined Israel Mauduit to the agency upon the "express condition that the Colony be put to no further expense for the Agency, than if this appointment had not been made."

He again writes to Jasper Mauduit under date of Boston, February 22, 1763, in regard to the stoppage by Bollan of sums of money out of the Parliamentary grants.

Andrew Eliot writes Jasper Mauduit one letter under date of June 1, 1763, transmitting a vote of thanks from



1128409

the Overseers of Harvard College for his interest in its behalf. He also speaks with regret of the fact that "the Act incorporating a number of persons into a Society for propagating the Gospel among the Indians is not likely to have the royal approbation," and with satisfaction that "we have an agent . . . by whom we can so easily apply to the body of our dissenting Brethren in England."

Eliot was pastor of New North Church in 1742, member of the Board of Overseers and of the Corporation of Harvard College and once elected President of the College, but declined the appointment.

Israel Mauduit wrote a letter from Lime Street to an undesignated correspondent, dated February 14, 1764. He speaks of receiving pamphlets on the controversy between Mayhew and his opponents and of his interest in promoting a bill in Parliament for the encouragement of the whale fishery.

Israel Mauduit was a more prominent and apparently an abler man than his brother Jasper. He was an English political writer, educated as a dissenting minister, and partner with his brother in the woolen-drapers business in Lime Street. In 1760 he wrote a pamphlet, which attracted much attention, entitled *Occasional Thoughts on the Present German War*, and he continued an active controversialist on colonial affairs until 1778.

Among the papers in this collection is the petition of Samuel Harnden addressed to His Excellency Francis Bernard, Esq., his Majesty's Captain General and Governor in Chief in and over the Province aforesaid and vice-Admiral of the same; The Hon'ble his Majesty's Council and the House of Representatives of the said Province in General Court Assembled at Boston, May 25, 1763. The humble petition of Samuel Harnden of Woolwich in the

County of Lincoln. Gentlemen — Shews etc. This petition relates to his grand-children captured by Indians; four had been recovered, but one of them, a girl of thirteen, taken to Rochelle in France, was there held in servitude. The petition desired that she be returned to her native land. Under date of June 8, 1763, the matter was referred by the Council to the Agent with an expression of a desire that the discharge of the child be obtained.

CHARLES G. WASHBURN.

# Jasper Mauduit
# 1762–1765

# Jasper Mauduit

## 1762–1765

THOMAS HUTCHINSON TO WILLIAM BOLLAN[1]

Boston 14th July 1760

Sir, — There are papers and accounts referred to in your instructions,[2] to be forwarded by the Secretary; but as the preparing them has been desird of me, it is necessary I should write to you concerning them: You will find two Declarations, one from John Wheelwright, Esqr., of the taking 229 barrells powder by General Shirley; the other from Temple Decoster[3] of 92 barrells powder, Six Cannon, 2 Mortars and sundry stores taken from Castle William, all which except one of the Mortars, which was for the Crown Point Expedition were carried to Oswego and there taken by the Enemy. The Mortar for Crown Point was never returned.[4]

[1] A copy is in Mass. Arch., xxv. 14.

[2] The instructions to Bollan, in the writing of James Bowdoin, and dated June 28, 1760, are in Mass. Arch., civ. 24.

[3] Temple Decoster was married to Ann King, December 2, 1734, by Rev. Elisha Callender. *N. E. Hist. Gen. Register*, xxxiv. 95.

[4] A report of both Houses, drawn up by Samuel Danforth and accepted on June 16, 1760, stated: "Whereas a Petition was some time since presented to his majesty in Council by the Agent of this Province, setting forth that divers Cannon, mortars and some stores which were taken from Castle William and used in His Majesty's service at Oswego or on the Crown-Point Expedition were not return'd; That others of the cannon at Castle William were defective, and not to be depended on, and that for the proper

You will also find Copys of Muster Rolls for the Seamen that by an Agreement between Admiral Durell[1] and Governor Pownall were sent to serve in the Fleet:[2] As the men when they were discharged had not Tickets given them they could find no way of disposing of their Wages that was due while on board the Ships. The Government therefore paid the Men their full Wages from the time of their Inlisting until their return, Those that died their Wages was paid untill the time of their death, to their legal Representatives and a full discharge given by each Man, an assignment made to the Province of the wages due from the Crown. Pay Rolls have been sent hither and Copys are now transmitted to you for the Men that served on board five Ships, but the Pay Rolls for the rest were never received. Consequently no deduction could be made for any supplies while on board, and they have been actually paid their full Wages, according to the Roll sent you.

It is supposed most if not all these Men served on board the *Neptune*, whose original Pay Roll as well as the rest you will no doubt be able to find at the Pay Office, For the sum due to these Seamen: you must therefore apply on behalf of the Province, and you may safely engage that no demand shall ever be made by any person who has

---

strength of the Place a greater number of the larger Cannon was requisite, and thereupon, prayed that the Cannon and stores might be granted for strengthening the said Castle as to His Majesty should seem meet, which Petition is still depending; The Committee are therefore of opinion that a Plan of that Fortress, and an Account of the Ordinance there be prepared, and that the Commander in Chief of the Province be Desir'd to give Order therefor, that so the same, together with the Accounts and Estimates beforementioned, may be forthwith transmitted to Mr. Agent Bollan to enable him the better to solicit and transact the Affairs of the Province in Great Britain." Mass. Arch., XXII. 144.

[1] Phillip Durell.

[2] See Pownall's message in *Journals of the House of Representatives*, March 6, 1759.

not received full Satisfaction from the Province and given a discharge. And as there was nothing given to each Man to show the Wages due to them, if the Province had not Advanced the Money they must have suffered, it is hoped you will meet with no difficulty in obtaining a Reimbursement.

I must observe to you, that it was expected the Pay of the Men should begin at the time of their Inlisting and continue until their discharge at Boston but the Rolls are made only from their Entry on board until their being put aboard the Transports. If Admiral Durell's Agreement can be found it shall be sent you. If it is not here, I suppose Governor Pownall must have it among his papers.[1] You will observe that whatever you receive short of the full sum paid by the Province must be added to the Account of the charge the Province has been at for the General Service the last Year which Accounts are now likewise transmitted to you.

These Accounts are not meer Computation but the sum charged has actually been paid except for Colo. Frye's [2] Regiment the Officers of which as well as the Men, remaining all the Winter in Nova Scotia, the Rolls could not be made up. The number of Men is also ascertained by the Rolls and although the returns may not shew that the

[1] "Governor Pownall having called upon me yesterday, to decline by reason of the state of his affairs the care of the application for relief of the sufferers by the fire at Boston, upon my inquiry he informed me that the agreement made between him and Admiral Durell respecting these seamen was made by letter, and he seemed fully persuaded that the Admiral's letter, or a duplicate, was lodged with the Secretary, saying at the same time that if he had the original it was packed up together with his other papers left in Mr. Hancock's hands, and that I should have it when he received it; but the time of his receiving his papers I perceived was very uncertain." *Bollan to the Speaker*, February 14, 1761. Mass. Arch., XXII. 186. A "duplicate" is in the Bowdoin-Temple Papers, I. 35, in this Society, and is printed in 6 *Collections*, IX. 8.

[2] Joseph Frye (1711–1794).

whole number have been in service at any one time, yet this whole number have certainly Inlisted and been in pay and Service tho' some by reason of Sickness and some by desertion did not join the Kings regular Forces.

I am now to mention to you that over and above the service done in Common with the other Colonies this Government has kept Garrisons at Louisbourg and Nova Scotia the whole Winter, the Accounts sent you are to the 1st of November only, except two Company's only to the 24th of November.[1] What this charge has been it is not possible to ascertain until the Rolls are made up. Twenty five hundred Men were first sent thither with a promise of discharge the 1st of November but the regular Forces being kept at Quebeck, the Government here to induce the Men to consent to stay offered and paid a bounty of four pounds per Man, to every Man who should tarry til the 1st of May.[2] The Men were extreamly uneasy and many of the Garrison of Louisbourg were discharged; some but not many from other parts came home without leave. When the General Court's Committee mett in January to consider of measures for the present Year, it was pretty evident that 1700 of the 2500 then remained, and but few of these came home before the 1st of May. It is certain we shall have more than the Wages of 1400 Men to pay for the whole term, making a full Allowance for discharges, desertions and deaths. Thomas's[3] Regiment of 780 from April 1st to November 1st, which is Seven Months, the Wages amount to £12,680. Now 1400 Men from November to May, which is Six Months, in the same proportion

[1] According to the monthly returns made by Colonel Whitmore, governor of Louisburg, these provincial regiments numbered 887 in June, 1759, and 515 in April, 1760. Mass. Arch., XXII. 156.

[2] *Province Laws*, XVI. 460.

[3] John Thomas (1725–1776).

amounts to £19,517 — to which £5600 bounty being added makes £25,117 — lawful money which is equal to £18,837 Sterling.

This sum it seems equitable the Province should be allowed out of the Parliamentary Grant before their proportion of service to the other Governments is considered, for no other Government has been at any expence to set against this.[1] I am sensible your Argument last Year was founded upon this reason, and that nevertheless it was rejected, but as nothing can be more just it is to be hoped it will being repeated prevail. Indeed it will be discourageing if it should not. The People hitherto have chearfully submitted to an amazing burthen of Taxes every Year and seem disposed still to exert themselves until the great design of the War is effected, but if they are distinguished un-

[1] "This detention became necessary by the taking of Quebec, which was garrisoned by the troops that otherwise would have relieved ours, and has brought upon the Province an expence which the other Colonies have done nothing to balance; it is reasonable therefore, as they are equally benefitted by the happy occasion of this expence, which arose from the necessity of the service they were engaged in, with us, that they should bear their proportion, and that they may bear their proportion you are to urge the payment of said expence out of the grant aforesaid, before any apportionment of it be made among the Colonies, and that the remainder be divided according to such rule as may be determined upon." *Instructions to Bollan*, June 20, 1760. Mass. Arch., XXII. 155. The total parliamentary grant, March 31, 1760, was £200,000. In reply to Bollan's representations he was informed in November; that "the apportionment was agreed on and determined by the Lords, who in making it had finally governed themselves by the number of men raised by the several Colonies that appeared in the field by the General's account, and that nothing but points of form were wanting for the entire settlement of this affair." *Ib.*, 174. In February, 1761, Bollan told the agents of the colonies that it was his intention to get the service of the Massachusetts regiments at Louisburg and Nova Scotia recognized as a service different from the campaign service and therefore to be paid out of some other fund than the parliamentary grant, "being persuaded that this extraordinary winter service was not within the contemplation of the parliament when the grant was made, at which time the service was not concluded, the grant being made on the 31st of March." *Ib.*, 183. The matter was complicated by the absence of definite accounts.

The three regiments detained at Louisburg and Nova Scotia were Frye's, 912 men, Jonathan Bagley's, 854, and Nathaniel Thwing's, 739, a total of 2505.

favourably in their proportions of the Parliament's Grants I fear they will be disposed to avoid doing more than in proportion to others. Notwithstanding this burthen of Taxes and the Relief from time to time given by Parliament yet the annual Charge is so great that the Publick debt increases annually Thirty or Forty thousands lawful money.

I am very sure you will conduct these Affairs in such manner as shall appear to you most for the Interest of the Province. I am, Sir, Your very humble Servant,

THO: HUTCHINSON.[1]

## MILITARY ACCOUNTS FOR 1759

[Seal] By his Excellency Francis Bernard, Esquire, Captain General and Governor in Chief in and over His Majesty's Province of the Massachusetts Bay in New England, and

FRA. BERNARD. Vice Admiral of the same.

I do hereby Certifie that Andrew Oliver, Esqr: (who has attested the annexed Copy) is Secretary of the aforesaid Province; And that Harrison Gray, Esqr:

[1] In announcing August 8, 1760, that he had received the province's part of the first grant of £200,000, Bollan wrote: "I Proceeded pursuant to the order of the General Court, to purchase foreign coin'd gold with it, and have laid out the greater part in gold at £3, 19*s*. 2*d*, 3, and 4, per oz. The Jews have raised the price, in order to send it abroad, and the Bank have raised upon them to keep it in the Kingdom. Their broker in my hearing today offered £3, 19*s*. 5*d*. I have gone on, with proper assistance, as fast as possible, and hope to finish the whole at a tolerable price within a short time." Mass. Arch., XXII. 158. This coin was shipped in October by H.M.S. *Fowey*, Captain Tonyn. Bollan details his reasons for thus sending and draws a curious picture of the obstacles in the way of shipping large sums. This particular remittance was insured for £60,000 in the London Assurance corporation. "When the Cape Breton money was insured, I found the Royal Assurance company more tender than the London, and private assurers, being subject to death and bankruptcy. I have no opinion of dealing with them but in case of necessity; and the corporations are less inclined to insure so large a sum on one bottom than on several." *Bollan to Oliver*, October 8, 1760. *Ib*., 169.

(who has attested the same) is Treasurer of the same Province, And that full Faith and entire Credit is and ought to be given to their respective Acts and Attestations both in Court and without.

In Testimony whereof I have caused the Publick Seal of the Province of the Massachusetts Bay aforesaid to be hereunto affixed; Dated at Boston the Eighth Day of January 1761 In the first Year of His Majesty's Reign.[1]

By his Excellency's Command,

JNO. COTTON, *Dep: Secr'y.*[2]

AN ACCOUNT of the Charges paid by the Massachusets Government, for his Majesty's general Service in the Year 1759.

The following Sums have been paid for Wages of Soldiers raised for his Majesty's Service Vizt:

RUGGLES' REGIMENT

| No. of Men | Companies | Sum paid |
|---|---|---|
| 16 | Staff Roll | 1706.19. 1 |
| 124 | Job Williams | 1882. 2. 6 |
| 100 | Sam'l Clark Payne | 1666.12. 8 |
| 90 | James Reed | 1492.16. 2 |
| 104 | John Burt | 1726.10. 2 |
| 110 | Salah Barnard | 1784. 1. – |
| 78 | Ebenz'r Cox | 1357. 4. – |
| 133 | John Bancroft | 2114.14. 1 |
| 64 | Will'm Page | 1146. 5. 1 |
| 39 | Joseph Ingall | 643. 1. 5 |
| 93 | Leon'd Whiting | 1610.13. 1 |

[1] George III began to reign October 25, 1760.

[2] This was received by Bollan February 6, 1761. A memorial to the Lords Commissioners of the Treasury on the special service at Louisburg and Nova Scotia, presented by Jasper Mauduit, but without date, is in Mass. Arch., XXII. 211.

| | | | |
|---|---|---|---|
| 104 | Jon'a Butterfield | 1741. 8.10 | |
| 63 | Sam'l Robinson | 1099. 8. 8 | |
| 64 | Jon'a Fletcher | 1263. 8. – | |
| 107 | Aaron Willard | 1705.16.10 | |
| 102 | John Nixon | 1624.10. 8 | |
| 68 | Jeduth'n Baldwin | 1178.17. 7 | |
| 115 | John Furnass | 1844.12. 5 | |
| 104 | Stephen Maynard | 1728.11. 9 | 29337.14. – |
| 1678 | | | |

WILLARD'S REGIMENT

| | | | |
|---|---|---|---|
| 11 | Staff Roll | 1048.11.3½ | |
| 35 | Rich'd Sykes | 604.15. 2 | |
| 51 | Sylvanus Walker | 800.13. 2 | |
| 102 | Elijah Smith | 1556.16.11 | |
| 52 | Thos. Cobb | 869. 4.11 | |
| 51 | John Fellows | 763.12. 9 | |
| 53 | John Church | 887. 1.11 | |
| 50 | Oliver Baron | 784.19. 2 | |
| 50 | Fran: Peabody | 841.16. 2 | |
| 34 | Asa Noble | 554. 2.11 | |
| 49 | Timothy Hammond | 827.13. 8 | |
| 50 | Jeremiah Learned | 814.16. 3 | |
| 50 | Simeon Cary | 746. 6. 8 | |
| 50 | Lemuel Bent | 802.15. 2 | |
| 49 | Abijah Hall | 822. 6. 9 | |
| 46 | Nath'l Hodges | 784.18. 1 | |
| 29 | John Harvey | 510. –. 3 | |
| 42 | Aaron Fay | 674. 9.11 | |
| 43 | Will'm Bailey | 726.13. 5 | |
| 41 | Silves. Richmond | 857.19. 6 | |
| 54 | Will'm Jones | 844. 5. 2 | 17123.19.2½ |
| 992 | | | |

BAGLEY'S REGIMENT

| | | | |
|---|---|---|---|
| 10 | Staff Roll | 865. 6. 3 | |
| 103 | Stephen Whipple | 1481. 1. 7 | |
| 109 | George Hanners | 1549. 5. 5 | |
| 102 | Edward Blake | 1466.11. 6 | |
| 106 | Sam'l Glover | 1456.19. 8 | |
| 107 | Israel Davis | 1598.18. 1 | |
| 103 | Sam'l George | 1540. 4. 7 | |
| 103 | Edmund Moores | 1486.19. 6 | |
| 118 | Andrew Giddings | 1858.13. 3 | |
| 106 | Hum'y Chadburn | 1646.14. 9 | |
| 105 | Joseph Newall | 1503. 4.11 | 16453.19. 6 |
| 1070 | | | |

THOMAS'S REGIMENT

| No. of Men | Companies | Sum paid | |
|---|---|---|---|
| 9 | Staff Roll | 790.15. 3 | |
| 86 | Jeremiah Mayo | 1336.14.9¼ | |
| 55 | Ephraim Holmes | 882. 4.9½ | |
| 55 | Barach'n Basset | 879.12.1½ | |
| 98 | Jotham Gay | 1477.19.3¾ | |
| 54 | Gamaliel Bradford | 872. 1.11 | |
| 94 | Lem'l Dunbar | 1503. –.1¾ | |
| 102 | Josiah Thacher | 1421. –. 5 | |
| 54 | Abel Keen | 877.13.6½ | |
| 100 | Sylvanus Bourne | 1455. 3.8½ | |
| 77 | Jabez Snow | 1185.18. 2 | 12682. 4.1¾ |
| 784 | | | |

PIONEERS

| | | | |
|---|---|---|---|
| 45 | John Williams | 622. 3. – | |
| 27 | Nath'l Bagley | 436.19. 5 | |
| 51 | Will'm Davenport | 749.15. 5 | |
| 35 | Sam'l Sturgis | 523. 8. 4 | |
| 48 | Sam'l Peck | 742.15. 8 | |
| 34 | Gideon Parker | 511.17.10 | |
| 42 | Joseph Smith | 658. 6. 8 | |
| 43 | Israel Hutchinson | 676. 9.11 | 5221.16. 3 |
| 325 | | | |

PREBBLE'S REGIMENT

| | | | |
|---|---|---|---|
| 8 | Staff Roll | 168.12.10 | |
| 105 | George Berry | 756.13. 8 | |
| 100 | David Bean | 716. –. 8 | |
| 100 | James Cargill | 708. 2. 9 | |
| 100 | Israel Herrick | 716. 1. 5 | 3065.11. 4 |
| 413 | | | |

The several Sums paid for Wages bro't forward

| | | | |
|---|---|---|---|
| Ruggles's Regiment | 1678 Men | 29337.14. – | |
| Willard's | 992 | 17123.19. 2 | |
| Bagley's | 1070 | 16453.19. 6 | |
| Thomas's | 784 | 12682. 4.1¾ | |
| Pioneers | 325 | 5221.16. 3 | |
| Prebble's | 413 | 3065.11. 4 | |
| Col. Fry's Regiment posted in Nova Scotia and yet detained there, have not rec'd their pay, are supposed equal to Thomas's | 784 | 12682. 4.1¾ | 96567. 8.6½ |
| | 6046 | | |

| | | |
|---|---|---|
| The several Sums following have also been paid out of the Province Treasury. | | |
| For Bounty Money to Men to enlist | 46647. 1. 8 | |
| For billeting until they received the Kings Provisions | 1063.19. 2 | |
| For sick and wounded Soldiers | 1706. –. 4 | |
| For Expresses and other contingent charges | 274. 8. 7 | |
| For transporting Soldiers | 53. 7. 6 | |
| For billeting Home | 350. –. – | 49114.17. 3 |
| | | 145682. 5.9½ |
| The Commissary Gen'l has paid the following sums as appears by his Accounts. vizt. for | | |
| 6348 Blankets | 4655. 4. – | |
| 6348 Canteens | 529. –. – | |
| 6348 Powder Horns and Flasks | 317.16. – | |
| 6000 Haversacks and Pouches | 750. –. – | |
| 21116 Tin Kettles | 387.18. 8 | |
| 1058 Hatchets and Helves | 176. 6. 8 | |
| 150 Great Coats | 225. –. – | |
| Transporting Stores | 1185. 5. 4 | |
| Stores for the Hospital | 692. 5. – | |
| Medicines | 609. 4. 8 | |
| Billeting Men upon their return home | 87. –.2¾ | |
| Nurses, etc. for sick and wounded | 318.10. – | 9933.10.6¾ |
| | | 155,615.19.1¼ |

Prov. of Massa. Bay, July 15th, 1760

The foregoing Accounts contain the Charge of the Province of the Massachusetts Bay for the Forces raised under the General and Commander in chief of his Majesty's Forces in North America, and the full sum of 155,615.19.1½ has either been paid by me as Province Treasurer, or by the Commissary General as appears by his Accounts and for the sum paid by the Commissary General. Money has also been advanced to him out of the Province Treasury, and said sum of 155,615.19.1½ is exclusive of the Wages of 236 Seamen raised by and in the pay of said Province for his Majesty's Ships in the River St. Lawrence.

Harrison Gray, *Treas'r.*

The sum of 12,682. 4.1¾ computed for Col. Fry's Regiment to be excepted out of said sum of 155,615.19.1½.

I do hereby Certifie that the six preceding pages contain the true Copy of the Account of the Charge of this Province for His Majestys General Service in the Year 1759 as Attested by Harrison Gray, Treasurer of the said Province, and upon file in the Secretary's Office.

*Attest* A. Oliver, *Sec'y.*

Note there is an Error of 2/9*d.* in transferring the Sum to the last page.[1]

[1] April 29, 1761, the apportionment of the grant for 1759 was made, and in spite of Bollan's plea for larger allowances to Massachusetts, that province received £60,634. All the agents of the other participating colonies contended for a distribution *per capita.* "This morning I went into the city to make provision for remitting the money as soon after receiving it as possible; there I found that for the late expedition the Government had taken from the Bank all the foreign silver they had, and bought up what they could meet with in the hands of others. The gentleman to whom I applied for intelligence sold them all that he had at 5*s.* 9*d.* per oz., and sterling standard silver, which is 1¼*d.* an ounce better than Spanish standard, being now at 5*s.* 11*d.* at market, which you are sensible is 9*d.* an ounce above the proper standard of the Government for coin, Spanish silver

## WILLIAM BOLLAN TO THE SPEAKER.[1]

LEICESTER SQUARE, [London], May 8th, 1761

SIR, — The Lords Commissioners for Trade and plantations having under their Consideration an Act passed by the General Court in February, 1760,[2] for regulating fees, on the 24th of last month, pursuant to their direction, I attended their Lordships, when Lord Sandys[3] told me they had these two objections to the Act. (1) that altho' a

is now worth 5*s*. 9½*d*.per oz. to the manufacturer, to be wrought into plate, and there is very little to be had at any price. Gold is at present £4. 0*s*. 4*d*. per oz., but as there is very little in town, and the Jews are picking it up as fast as they can, its future price is very uncertain, especially as it will be affected by the rise or fall of exchange with Holland. At my desire a gentleman will write into the country this evening to secure what may be had there, and I am in hopes that I shall be able to secure some that is expected in the next packet from Lisbon." *Bollan to Oliver*, April 29, 1761. Mass. Arch., XXII. 188.

Difficulties were raised on the payment of the grant, as the aids on which it depended had not come into the Treasury, and in June the agents were informed that they would receive half of the sums in money, and half in exchequer tallies, which would carry interest and probably be paid in the following March. Even this method, accepted from necessity by the agents, did not settle the question, for the Earl of Kinnoull, late paymaster general, brought up an advance of £44,592 illegally made in 1756 to the Colonies, as he claimed, on an order of General Shirley, which had never been repaid, and for which he (Kinnoull) could be held responsible. This difficulty the agents overcame, and Bollan prepared to ship gold, silver not offering in sufficient quantity; but the price of gold was such that with freight and insurance, the province would lose seven per cent. Hearing that the province intended to sell bills against the grant, payable in London, Bollan determined not to ship, but to await further instructions. The *Boston Evening Post* for June 22 contained the following advertisement: "Whereas by an Act of the General Court, the Province Treasurer is enabled and directed to draw Bills of Exchange on Mr. Agent *Bollan*, to the Amount of *Sixty Thousand Pounds* Sterling: He therefore gives Publick Notice to all Merchants and others, Inhabitants of the Province, who are inclined to purchase any of said Bills, that a Subscription Roll open at the office, where they may subscribe, no Person above *One Thousand Pounds*, nor under *One Hundred Pounds* Sterling, until the first Day of *July* next."

[1] This letter in the Washburn collection does not show to whom it was written. A copy in Mass. Arch., XXII. 190, gives the proper address.

[2] Passed February 13. *Province Laws*, IV. 291.

[3] Samuel Sandys (1695?–1770), who had become first lord of trade and plantations March 21, 1761. What his contemporaries thought of him is indicated in the *Dictionary of National Biography*, L. 294.

temporary Act, it repeald a perpetual Act of the 4th of William and Mary, Chapt. 17. (2) that the perpetual Act having had the royal approbation, an Act for repealing it ought to have contain'd a Clause suspending its force and execution, until the king's determination thereupon was declared.[1] A few things were then said, wherein some of the Lords seem'd to suppose these objections unanswerable. After observing that a New establishment of Money, with the changing circumstances of a New country, required a New table of fees, I desired the matter might be deferr'd til I could consider the present Act, and all the former laws relating to fees, together with their Lordships' objections, as this Act had never been transmitted to me, and I was wholly a stranger to it when I received their directions to attend; and after some time spent hereupon the matter was put off accordingly. Their Lordships then passed to another affair, and Lord Sandys having in his hand four Acts for lotteries he inveigh'd against them, as mischievous in their nature, destructive to labour, and industry, and introductive of the spirit of gaming, ever attended with many ill consequences.[2] In excuse for these Acts, I observed that the distresses, occasiond by the heavy expence of the War, of which the Province had taken so large a part, had probably brought these lotteries into

[1] In November, 1761, a letter to Bollan was prepared by a committee, of which Bowdoin was the reporter. On these objections he said that the perpetual act for regulating fees had been frequently suspended by temporary acts appointing different fees, and these temporary acts had never been disallowed by the king. As to the suspending clause, the charter provided that laws made should continue in force, in case his majesty should not signify his disallowance within the time limited, until their expiration or their repeal by the General Assembly. Bollan was to "defend to the utmost the General Court's power of legislation in its full extent according to the aforesaid charter."

[2] In spite of the growing opposition to lotteries the British government continued annually to raise considerable sums in lotteries authorized by act of parliament until 1824. The hint in Bollan's letter caused Bernard to refuse to authorize a lottery for Harvard College without express submission to the Lords of Trade. 6 *Collections*, IX, 10.

use; and the whole board having concurrd with his lordship in declaring their evil nature, I told their lordships I wou'd take the first opportunity of acquainting the General Court with their sentiments thereupon. It is needless to say that many of the most able statesmen, as well as divines, have always declared against the use of lotteries, and being fully persuaded that the continuance of them, wou'd prejudice the province's desirable character, in the minds of some of their best friends, as well as be disagreeable to others, I think it my duty to recomend a total disuse of them. The day before yesterday being appointed for hearing any thing that I might have to offer respecting the Act for regulating fees, upon my being called in, Lord Sandys told me, that in favor to me, who, they understood, had been indisposed, they wou'd require me to speak only to the two points of the Acts being temporary, and wanting a suspending clause. In Case I had thought it a proper time for entring into the consideration of the matter at large, I should very gladly have declined this favor to myself, and after briefly taking notice that forms were introduced for the sake of substance, and that if the Act, as it appeared to me, was founded on the principles of equality and justice, and was render'd necessary by the present Circumstances of the Province, I conceived its merit in these particulars was a reason for its approbation. I then proceeded to observe, that if their lordships were inclined to introduce the use of suspending clauses, in Certain cases, and to declare, that the present act, without considering its Merits, ought to be disallowed, for the want of such clause, this was a matter which so nearly affected the Province's power of Legislation, that I must earnestly pray their lordships to postpone the consideration of the affair, so that I might have time, to give proper notice to the

General Court, and receive their instructions hereupon. In support of this motion, I observed to their lordships, that, as I understood, the Province now, and at all times since their constitution, was formed by their present Charter, conceived the General Court was well entitled to the free exercise of their Authority, in making such proper laws as the welfare of the province from time to time, in their judgment required, which laws were to take immediate effect, that the power of repealing their own laws, was like wise unrestrained, and that there had never yet been an instance of a suspending clause being inserted in any Act. Upon my mentioning this last point Mr. Pownall, who had before observed to their lordships that there was an alternative, which was, to send over the draught of the Act, before passing it, to whom one of the lords replied, that was the same thing with the Suspending clause, now said, that the draught of one Act had been sent over here, which related to the proceedings of the Commissioners in Cases of Bankrupts.[1] After observing, that altho' I had never heard of this draught being sent over before, yet I supposed this was a Special case, and probably owing to the extraordinary difficulties that attended the King's repeal of the Act, that had before passed against bankrupts; and this being immediately agreed to be the Case, I then observed that precedents in these cases being always readily cited, it was proper, before making another for me to acquaint the General Court with this matter, especially as I had never received any instruction from them hereupon, nor ever been in any manner concerned in this question. After withdrawing, and waiting a Considerable time, Mr. Pownall came to me, and told me that their lordships would not

[1] Possibly the act in *Province Laws*, IV. 29, which the Lords of trade recommended should be disallowed. *Ib.*, 44.

now proceed, in order to come to any determination upon the Act; but that it should lye by, for further Consideration.

I write in more haste than is agreeable, and cannot at present recollect any thing further that is material to be said on this Occasion, save that their lordships in the Course of this affair, seem'd to have their eye more on the suspending clause, than the other point, and appeared to speak from premeditation, and that I am satisfied they will confine their future consideration, to the two points aforemention'd, presuming at the same time that they will defer the matter til the General Court's instruction herein can be received.

I am, with the greatest respect for the Great and General Court sir Your most obedient and most humble servant,

Wm. Bollan.

### THOMAS HUTCHINSON TO WILLIAM BOLLAN

Boston, 6th June, 1761

Sir, — You will have sent you by this Ship the Accounts of the charges incurred by this Province since the Account for the Year 1759, which you acknowledged you had received. They are as particular as could be, unless the Copies of the Muster Rolls had been sent, but that I suppose will not be thought necessary.

As it is uncertain how far the Province may have been considered for the charge of the Forces during the Winter of 1759, whilst all the other Governments were free from the like expence, you find for that reason a Column for the pay of those Regiments from the time the Rolls in the last account were made up until the 31 of March, about which

time the service of the last year begins; and this is not done by any uncertain computation, but I have taken every Man's Wages in the three Regiments and so made the deduction. This was a Work of a great deal of time and trouble, but I thought it necessary. The bounty of the Men who continued over the Winter added to their Wages makes the sum of £29,754.9.6. and is exclusive of the Accounts for the last Year which Amount to £186, 562.9.1¾. The Column for the Wages before November in Frye's Roll is intended only to shew how near the Amount is to what was computed in the Accompts of the last year.

There are some Rolls from which no deduction is made in either of these columns, and they are Rolls for Companies which were sent down the last Year by General Amherst's direction. The reason why some Rolls exceed others of the same Number of Men is this; the Men were discharged at different times, and Bagley's Regiment was much longer in service than the rest, great part of it was blown off to the West Indies or Virginia, and did not arrive until late in the Spring, and may properly be considered in the same light with the Forces we kept at Nova Scotia the Winter before.

There are 4670 Men in the Rolls for the Western Service and 318 sent Eastward the last Year: So many the Government have certainly paid Wages to for that Years service. There are 2187, besides in the three Regiments East. Of that number above 1500 were in Service the beginning of the Year 1760, and about 1000 remained the whole season; the others left the Service at different times, and their continuance can no other way be ascertained than by a copy of every Roll. The Court having committed these Accounts to my care I thought it needfull to give this explanation of them.

The Pay Rolls for the Seamen were sent by two Conveyances and I think one by a Pacquet from New York. It is unfortunate that both should miscarry. Another copy will be sent by this Ship. I am, Sir, Your most humble Servant,

THOS. HUTCHINSON.

### ANDREW OLIVER TO WILLIAM BOLLAN

BOSTON 17th June 1761

SIR, — You have herewith inclosed the Accounts of the Province charge for the general Service since the Accounts for the year 1759, together with Copies of the Pay Rolls for the Seamen, referred to in the Lieutenant Governor's Letter of 6th Instant, which I now forward to you.

I can find no original Letters either of General Amherst or of Admiral Durell relative to our men who served on board the Fleet, and have accordingly acquainted the General Court, by their Committee, of the want of this particular kind of evidence; but the agreement which Governor Pownall made with them severally appears very express upon the records of the Court. I therefore by their direction transmit you every thing that I can find in the books relative to this agreement vizt: Copy of his Excellency's Message of 6th March [1] — the Resolutions of the Court of the 13th March, 18th April, and 15th January following — which may possibly be of some use in obtaining a good proportion of the Grant of 1759, as well as in obtaining payment at the Navy Board. I likewise send you copy of my Letter of 15th January to the Treasurer of the Navy, and of the answer thereto of April following which will (at least) let you more fully into the State of this Affair.

[1] *Journals of the House of Representatives*, March 6, 1759.

It may be proper to observe to you the Occasion of the note annexed to the Copy of the Resolutions of the 13 March. The House in their Resolutions of 15th January, 1760, refer to a Vote of the Court of the 10th March, 1759: this reference I imagine was made, upon finding in the Journal of the House, that the House passed these Resolutions the 10 March: but as these Resolutions were not concurred by the Board till the 13th they bear that date in the General Court Books, and the Copy of said Resolutions now sent you, bear that date accordingly. I am, Sir, Your most obedient humble Servant,

And'w Oliver.

[Memorandum,] Mr. Secr'y Oliver's Letter June 17th 1761. recd. Aug't 5th.

### Thomas Hutchinson to William Bollan

Boston 19th December 1761

Sir, — There will accompany this Letter, a Certificate which General Amherst has transmitted to the Governor for ascertaining the Number of the Forces paid by this Government, in the Year 1760. So far as respects the men at Nova Scotia, the Certificate has but little Tendency to answer the Purpose for which it was intended, but nothing more could be obtained. You will observe that the General says, the greatest part of the 2500 men, either returned before, or absolutely refused to do duty after the first of May, 1760. I think it most probable that this is the General Report of the State of our Forces, as it was received from the Governor or other chief Officer at Louisbourg and Nova Scotia; and that it is not collected from any regular Returns made to the General. It will appear by the Copies of the Rolls transmitted you by the *Chesterfield*, that

great part of the men at Nova Scotia and Louisbourg are supposed to be discharged and their Wages ceased before the first of May some of them quitted the Service without leave, others were regularly dismissed. All of them enlisted upon Assurance that they should be discharged before Winter. The Government, to induce them to be willing to continue over the Winter offered a Bounty of four Pounds, to every man who would continue untill the first of May, and it does not appear that any who received this Bounty left the Service without Leave before that time. I do not undertake to justify men in leaving the Service without a regular Dismission, although the time for which they inlisted be expired, but I think this Case should be considered with all its Circumstances. If regular Returns had been mad[e] We should have been content, to have been considered according to the Number of men from time to time in actual service, but as that is not done, you will improve the Rolls transmitted you to ascertain the numbers, and if the Certificate must be the Rule, it does not appear that there were less than 1200, of the 2500 in Service the whole of the Year 1760, as the greatest part only are said to have deserted before, or refused to do Duty after the first of May, 1760. To these must be added the 500 men sent in June, and the 4464, which actually marched Westward. There was a greater number paid by the Government, both for the Eastern and western Service, than the Certificate mentions. If the other Governments are in the same Case, it will not be material, as the Use to be made of the Certificate is only to settle the Proportion between them and us.

I write this by Order of the Governor, with the Advice of the Council. I am, Sir, your humble Servant,

THO: HUTCHINSON.

WILLIAM BOLLAN TO ANDREW OLIVER

Leicester Square, [London,] February 12, 1762.

Sir, — Having for a Considerable time been indisposed, tho no farther prevented from doing necessary business than by confinement, a Member of parliament who is my intimate friend, called and informed me that they had granted to the colonies for their last year's expences, in raising troops, two-thirds of the sum, which had been annually granted for several years past. This grant of £133,-333. 6*s*. 8*d*. upon the report of the committee was made by the house on the 26th of January in the usual Form.

Having lately had the honour of Receiving a letter from the secretary written in the name, and by order of the General Court, I sent an extract at large, of what was contained in it, relating to the loan made to the Province by General Shirley, and their payment of it, with copies of the treasurer's affidavit, and other papers transmitted, inclosed in a letter to Mr. Trecothick,[1] who has from the first conducted this affair on behalf of Tomlinson and Hanbury's;[2] and having since received an answer by letter from him, I send inclosed a Copy of it.

After diligent sollicitation and repeated promises of particular information given me, by the proper person, I am not able to say when the exchequer orders will be paid off. Last week an intelligent gentleman on my behalf, made strict inquiry at the exchequer. The proper officers there made this answer, "They do not know when these orders" will be paid, but believe it will not be longer than

[1] Barlow Trecothick, once a resident of Boston. He married, in 1747, Grizel, daughter of Charles Apthorpe.

[2] John Thomlinson and John Hanbury, agents in London of the province of New Hampshire.

two Months, and it may be within "less than one month." There is a previous order comes from the Treasury to them "for the paying of them." [1] Altho' much better in health I shall not venture out for some time, the greater part of my illness having proceeded from going abroad too soon; and therefore I purpose next week to write to Mr. West to hasten the payment, and to know the time of it, if possible. A letter in this case will probably be of more service than my personal attendance, as thro' the Multiplicity of affairs, and his consequent hurry he sometimes forgets part at least, of what has passed upon an application, and I have known him on some occasions, communicate my letter to the lords, altho' not written in the form requiring it; and a gentleman who is so well known to him, that he is sure of speaking with him, has kindly promised me that he will attend him, for an Answer. Many of the persons to whom the bills of exchange drawn by the Treasurer are payable, pressed by the general distress arising from the great scarcity of money, encreased as it should seem by the particular state of their affairs, make so many enquiries and urgent applications some of them being no way to be satisfied, that they leave me but little rest either by day or night.

In order to prevent the proposed check of the Province legislature by requiring a suspending clause in their acts, I desire to recommend to the General Court that such persons as they shall think proper may enquire what annual acts, and such occasioned ones as required immediate com-

[1] On May 5 Bollan wrote: "Since my last the Exchequer tallies have been paid, and the money received very nearly disposed of, some delays having arisen by part of the bills of Exchange being after presentation negotiated by those who presented them, and again by their assignees, without giving me any notice, whereby they came into the hands of unknown persons, and the proper course of payment, pursuant to the order of presentation of the bills, has been thereby embarrassed." Mass. Arch., XXII. 241.

mencement have heretofore passed; and that it be considered in what instances the intended check would affect the welfare of the Province, with the inconveniences and damages which will thereupon ensue, as far as they can be foreseen; for, in my opinion, human foresight is not equal to the difficulty of foretelling all the future occasions wanting immediate relief, which the mutability of human affairs may produce, or the damages consequent of the province's wanting power with present execution when they shall happen. However little may be said of this affair I desire that the whole may with Care and circumspection be examined, considered, clearly stated, and transmitted.

No power [1] is come to hand relating to the Province's part of the Parliamentary grant made last year, for the expences of the year 1760, nor any proofs of the number of

[1] This power was given by the act of April 24, 1762. The report of the Committee which framed it, and the amendments in the writing of Bowdoin, are in the Mass. Archives, XXII. 236, 239, and the act in its final form is in *Province Laws*, IV. 536. It reads, of course, in favor of the new agent, Jasper Mauduit.

April 19 a motion was made in the House and seconded that "William Bollan, Esq., be dismissed from his Agency for this Province." It was referred to a committee — James Otis, Jr., Thomas Cushing and Jeremiah Powell — for a "proper vote thereon." The committee reported the same day and the vote read: "That William Bollan, Esq., Agent for this Province at the Court of Great Britain, be and he hereby is dismissed from his Agency there; and that the Secretary be directed to write him accordingly." That vote was sent to the Council by Colonel John Phillips, Thomas Foster, of Plymouth, Brigadier Timothy Ruggles, Colonel Jerathmeel Bowers, Captain Thomas Goldthwait, James Otis, Jr., and Major Thomas Morey. On the following day the House sent a member, John Bradbury, to enquire of the Board "whether they had passed upon the vote for dismissing the Agent of the Province," and soon after a message was brought by Brigadier Isaac Royall that the Board had concurred in the vote. On the same day it was laid before the Governor, and again the House, now approaching an adjournment, showed impatience, sending a committee of five — Royall Tyler, Colonel Richard Saltonstall, Joseph Sayer, Captain Williams and Captain Saunders — to wait upon his Excellency, "and desire to know of him, whether his Excellency had given his Consent to said vote." On assurance that action would be taken "timely for the choice of another Agent this Session," Friday the 23d was appointed for a joint election, and on that day Jasper Mauduit received a majority of the votes. *Journals of the House of Representatives*, April 19–23, 1762.

ter-tenants,[1] freeholders, on the lands claimed by Lord Stirling and others. His lordship when he went away said he should return about this time. I have not heard of his arrival; but there are others here concerned, of whom greater apprehensions may be had; tho' I cannot think there is any considerable danger attending this affair, provided due care be taken of it. I am with the greatest respect for the Hon'ble House of Representatives, Sir, Your most obedient and most humble servant,

W. Bollan.

Martis, 26 die Januarii, 1762.[2]

*Resolved*, That it is the opinion of this Committee, that a sum not exceeding one hundred thirty-three thousand, three hundred thirty-three pounds, six shillings and eight pence, be granted to his Majesty upon Account, to enable his Majesty to give a proper compensation to the respective provinces in North America for the expences incurred by them in the levying, cloathing and pay of the troops raised by the same, according as the active vigor and strenuous efforts of the respective provinces shall be thought by his Majesty to merit.

This resolution was agreed to by the house.

---

June 14 Bollan received the notice of his dismission from the province service, with directions to turn his papers, records, and accounts over to his successor, Jasper Mauduit, and to give him such information on the state of the province's affairs in England as was necessary. The papers were delivered June 22.

[1] For terre-tenant. The occupant of land.

[2] Taken from Mass. Archives, XXII. 227.

WILLIAM BOLLAN TO THE SPEAKER

Leicester Square, [London,] March 15th, 1762.

Sir, — Many powerfull reasons having a long time called for a thorough examination, in order to a full proof and firm establishment of the original, inherent, and just title of the English subjects, who planted the English colonies in America, to the Rights, liberties and benefits of the state, whereof they were members, when they prosecuted this noble enterprize, and of which, by their great Expence, toil and peril, enlarging the dominions for the common good, they continued perfect members, and from whom of course these rights descended, to their posterity, a plan has been formed for accomplishing this work in the most serviceable and effectual manner; and the first part of it being carried into execution, the copies accompanying this, are transmitted for the consideration of the Hon'ble House. As the establishing of the native equal and permanent rights of the colonists against all Opponents, would, in the author's opinion, be extremely beneficial to them, in many respects, it would be a particular pleasure to him to contribute to the accomplishment of it, and he is very desirous to do his best for that purpose; but it is to be observed that the facts and arguments necessary on this occasion to be collected, stated and used, and which must be examined and made with such care as to stand the attack of the most acute objectors, are so very numerous and various, and many of them so difficult in their nature, that the completion of a work of this kind, will unquestionably require great leizure, labour and application; wherefore, considering the state of his health, and affairs, he doubts whether he shall be able to execute his own designs, tho' he is not

without hopes of doing it. If prevented, his plan since its publication, having been approved by very judicious persons, others may either proceed according to that, for the attainment of the end desired, or be hereby excited, to devise and execute some better method of performing this great service for the Colonies.[1]

I am, with the greatest respect for the Hon'ble House of Representatives, Sir, Your most obedient and most humble servant,

W. Bollan.

### James Otis, Jr., to Jasper Mauduit

Boston, New England 23d of April A.D. 1762.

Sir, — I take the liberty to inform you that the general assembly of this province have by a very great majority made choice of you to serve them as their Agent at the court of Great Britain; and I sincerely congratulate you thereon. It has been industriously reported here that, your state of health would not admit of your accepting this

[1] This letter refers to Bollan's *Coloniæ Angliæ Illustratæ; or, the Acquest of Dominion, and the Plantation of Colonies made by the English in America.* London, 1762. Writing in 1818, John Adams said: "Mr. Bollan was a kind of learned man, of indefatigable research, and a faithful friend to America; though he lost all his influence when his father-in-law, Governor and General Shirley, went out of circulation. This Mr. Bollan printed a book very early on the 'Rights of the Colonies.' I scarcely ever knew a book so deeply despised. The English reviewers would not allow it to be the production of a rational creature. In America itself it was held in no esteem. Otis himself expressed in the House of Representatives, in a public speech, his contempt of it in these words: 'Mr. Bollan's book is the strangest thing I ever read. Under the title of "Rights of the Colonies," he has employed one-third of his work to prove that the world is round; and another, that it turns round; and the last that the Pope was a devil for pretending to give it to whom he pleased.'

"All this I regretted. I wished that Bollan had not only been permitted, but encouraged to proceed. There is no doubt he would have produced much in illustration of the ecclesiastical and political superstition and despotism of the ages when colonization commenced and proceeded. But Bollan was discouraged, and ceased from his labors." *Works*, x. 356.

trust; But from the best intelligence we could obtain, there is reason to hope, this objection was started only to favor some other gentleman. You may rest assured that your election was carried by the friends of liberty civil and religious, and that, from the character we have receiv'd of you, this interest are determined at all events to support you. It would be a vast disappointment to us to hear of your refusal, especially as there is a party that would exult thereon as an event very favorable to their scheme of politicks.

I presume you are not to learn that tho' there are some worthy persons among our American Episcopalians, too many of them are very high in their religious and political principles. A few dissenters here, whose notions of government are as high as theirs, had, under the influence of some of our former governours, form'd a party whose plans of power were diametrically opposite to the rights of mankind; and have too long triumph'd in the miseries and misfortunes of this province. But, thank God if not dead, they have receiv'd their death's wound! There is reason to believe our present Governour, Mr. Bernard, who fell into some of the worst hands upon his first arrival, begins to be convinc'd whose views are most nearly connected with the true interest of the province.[1]

[1] "We are apprehensive, Sir, that there is a scheme forming for sending a Bishop into these parts; and that our G—rn—r, Mr. B—rn—d, a true ch—ch-m—n, is deep in the *plot*. This gives us a good deal of uneasiness, as we think it will be of bad consequence; at the same time that we are much at a loss, how, or in what manner to make Opposition to it. If you should happen to hear it discoursed of, I believe I may assure you, that you could not do the body of the people in N. England a more essential Service, or lay them under stronger Obligations, than by using your influence, in such ways as may appear proper to you, to prevent this project's taking effect. And I should be glad if you would take an opportunity to hint something as to this affair, to Mr. Mauduit, and other leading Dissenters in England; who might be likely as occasion offered, to appear in Opposition to such a proposal." *Jonathan Mayhew to Thomas Hollis*, April 6, 1762. MS.

The Assembly has this day passed an act to enable you to receive the Parliamentary grant for the year 1760. Richard Jackson, Esqr.[1] is impower'd in case of your sickness or death to act in your stead, as Mr. Trecothic was named in the Acts with Mr. Bollan. But you are to all intents and purposes appointed our sole standing Agent. Your Instructions also pass'd both houses yesterday and will with all the necessary papers be transmitted you by the Secretary whose letter from you dated about a year since was made great use of to prevent your choice but in vain. As it is probable you may hear more of this from others, I think it but justice to all concerned to let you know the truth. Upon Mr. Bollan's dismission the governor to whom it seems you are a stranger set up Mr. Jackson. The Lieut. governor,[2] brother-in-law to the Secretary, was very fond of going Agent himself. The Secretary was ground between two mill stones. Your letters was artfull[y] extracted and the contents made use of as an argument that you was averse to the Agency. However, among half a score candidates talk'd of and three voted for, you carried it by 54 votes out of 90, and had the choice been a day sooner would have had three-quarters of the whole Council and Representative body, who upon these occasions vote by joint ballot. The Governor has very quietly acquiesced in the choice and his Lieut. will be forced to do the same. The Secretary is a worthy man but wants resolution to think and act for himself — of both which he is as capable as some who have dictated to him.

I have taken this early oppertunity to acquaint you that I have the merit of a small share in your election.

[1] Agent in London for Connecticut.

[2] Thomas Hutchinson. He married Margaret and Andrew Oliver married Mary, daughters of William Sanford.

Royall Tyler, Jno. Phillips and Thomas Cushing, Esqrs., with whom I have the honour to represent the city of Boston, are your stanch friends and will perhaps address you by the same conveyance. The speaker of the house who I have the happiness to call my father, being suddenly called out of town upon the Court's rising, directed me to make his compliments of congratulation. I should think myself highly honour'd in a correspondence with you; heartily wish you all imaginable success and prosperity in all your affairs, and beg leave to subscribe myself your most obedient humble Servant,

James Otis, Jun'r.

### THOMAS HUTCHINSON TO WILLIAM BOLLAN [1]

Boston, 24th April, 1762.

Dear Sir, — My suspicions were well founded. Monday last the House sent up a vote to dismiss you from the Agency. I made what opposition to it I could but the terror of election which is just at hand prevailed over all other considerations, and 11 votes carried it against 10 for a concurrence with the house. Two lawyers of the same name [2] carry all before them in the house and B——le [3] at the Board heads the party there. This afternoon they have chose one Mr. Mauduit to whom I am an entire stranger. I never knew an instance of such mad proceedings. The Court must rise in 2 or 3 days at farthest. They would have had me been of a Committee for Instructions, but I declined it, and told them it would take more time than they had to spare upon any one of several affairs depending, and

[1] Mass. Arch., xxvi. 12.
[2] James Otis, father and son.
[3] William Brattle.

which you are thoroughly possessed of. Indeed, I desire to have no more to do with them, and they assure me I shall not after this session. . . .

I must in justice to the Secretary tell you, that notwithstanding Mr. Mauduit is his friend he was one that remained firm to your interest. I am, etc.

TH. HUTCHINSON.

### SECRETARY OLIVER TO JASPER MAUDUIT [1]

BOSTON, April 24, 1762

SIR, — The Character the General Court has received of your integrity and capacity has induced them to make choice of you as public agent for the Province in Great Britain, as you'll observe by a transcript from the records of the Court of yesterday's date: and it is by their direction I now inform you of it. Your Commission, signed by his Excellency Governor Bernard, is sent you herewith. It is probable the General Court at their next May session will instruct you fully upon the public affairs of the Province that will be proper for your cognizance: But as it is necessary you should have the earliest notice of the circumstances of their principal money-concerns, you are hereby informed that, according to a letter received from Mr. Bollan, dated April 29, 1761, the Province's proportion of the Grant made by Parliament to the colonies for their services in 1759 is £60,634. –.– sterling: on the credit of which the General Court order'd the Province Treasurer to draw upon Mr. Bollan for £60,000 stg. Accordingly Bills were drawn by the Treasurer in favor of the Purchasers agreeable to the form here with sent. After the Bills were drawn

[1] Prepared by a committee of the General Court. The draft is in Mass. Arch., LVI. 380, and is in the writing of James Bowdoin.

Letters were received from Mr. Bollan acquainting the Court that the said Grant will be paid one-half in money, and the other half in Exchequer tallies, payable with Interest in March, 1762.

It is probable these Bills are paid by this time, or so many of them as the Province's Share of said Grant would enable him to pay: and in case of deficiency of said Share, he was directed to pay the overplus Bills out of the Province's proportion of the Parliamentary Grant for the Services of the year 1760. This last mentioned Grant, it is apprehended, Mr. Bollan has not yet received the Province's part of: and in that case there may remain some of said Bills unpaid.

As the General Court have empowered you to receive the Province Share of the last mentioned Grant, as you'll find by an authenticated act of the Court herewith sent, it is the desire of the Court, and you are hereby directed (on receiving the Province's Share of said Grant, or a sufficiency thereof for the purpose) to pay the said Bills that may remain unpaid; together with the Interest that may be due upon them agreeable to their tenor. [And in case you should not receive the Province Share of said Grant by the time said Bills are returnable, you are desired to take up Money upon Interest upon the credit of said Grant and pay off said Bills and by no means suffer them to be returned.] [1]

With respect to the Province's Proportion of the last mentioned Grant, if it be not already settled, Mr. Bollan can furnish you with the Accounts that have been transmitted him of the Expense the Province incurred for his Majesty's service in 1760: and by those Accounts the proportion will be settled. In the settlement of it, considera-

[1] The sentence in brackets was inserted in the letter as an amendment.

tion ought to be had to this Circumstance: namely, that a Number of the Province Troops was detained in Garrison at Louisburg and Nova Scotia during the winter of 1759 and spring of 1760, occasioned by the reduction of Quebec; which prevented our Troops being relieved by the Regulars. As the other Colonies did nothing to balance this Service [we apprehend a distinct and separate allowance ought to be made; but if you cannot obtain that you will use your utmost endeavors that][1] the whole Expense of it be deducted out of the Grant before any Apportionment be made of it among the Colonies. The particulars relative to this matter Mr. Bollan can inform you.

The act above mentioned empowers you to demand and receive of Mr. Bollan whatever monies may be in his hands belonging to the Province, and to give him a discharge for what you shall receive of him. You will therefore make application to him pursuant to such power; and receive for the Province use what he may pay you. You will also receive of him all the Papers that respect the dispute between this Government and New York in regard to the Boundary lines between us. Also with Connecticut in regard to the Towns that have revolted to them, and with New Hampshire in regard to a reimbursement for our maintaining Fort Dummer and No. Four,[2] etc., within that Province and defending their Frontiers, as also all Papers relative to the claim of the Earl of Sterling to the eastern parts of this Province, and all other Papers that relate to the affairs of the Province. And obtain of him a state of those matters as they stand at present; and any information he can give you with respect to those or any

[1] Words in brackets were inserted by Andrew Oliver — probably an amendment by the Council.

[2] Charlestown, N. H.

other affairs of the Province. [We would recommend to you that in all matters of Law you may be concerned in relative to the Province, you consult and advise with Richard Jackson, junr. Esq.

By order of the Great and General Court I have wrote the foregoing as Secretary of the Province, and am, etc.] [1]

### ANDREW OLIVER TO JASPER MAUDUIT

(*Private.*) Boston 24 April 1762.

Sir, — You will observe by the public papers I have sent you herewith as Secretary of the Province that the Great and General Court have appointed you their Agent instead of Mr. Bollan. I had heard nothing of their intention to remove Mr. Bollan 'till the day it hapned, and the next day you was chosen. What you wrote me 3d June, 1760, concerning your ill state of health and growing infirmities which then forbid your undertaking the Agency, made me at a loss how to act: and as your name was again mentioned, I thought myself obliged to communicate what you had wrote me to two or three Gentlemen of the Court, whom I knew to be in your interest that they might consider and judge for themselves in the matter; these Gentlemen were not discouraged, but gave you their Votes and Interest when the Election came on.

The Court have however made provision that Richard Jackson, junr., of the Inner Temple, Esqr., shall act in their money matters in case you are prevented, and have also instructed you to consult him in all matters of Law relative to the Province. As Mr. Jackson is a Gentleman with whom the Governor is particularly acquainted, it would be a great satisfaction to his Excellency to see you connect

[1] In the writing of Andrew Oliver.

yourself with him: You will find his Assistance in matters of Law a great ease to you; and as a good harmony on all sides is most desireable in itself, so I am sure it is most agreeable to your own inclination.

I may write you more at large by the next conveyance. In the meantime I am, Sir, Your most obedient and most humble Servant,

And'w Oliver.

P. S. The Court made the like Provision in 1760 for Mr. Trecothick's acting in case of Mr. Bollan's incapacity, as they have now done for Mr. Jackson's acting in case of yours.

### Jonathan Mayhew to Jasper Mauduit

Boston N. England April 26, 1762

Honoured Sir, — This is, in few words, to congratulate you on your being a day or two since chosen Agent for this Province at the Court of London, in the Room of William Bollan, Esq.; who, for a number of years, has sustained that Character. He is generally reckoned a Gentleman of good Abilities; but has not given such general satisfaction to the People here, as we flatter ourselves you will do, should you see cause to accept the honourable Employment offered to you: And, in my private Capacity, from the knowledge I have of your Character, I cannot but express my hearty desires and hopes, that you will not refuse it. The most steady friends of Liberty amongst us, and all the Friends to the dissenting Interest (who are, I suppose, fifty to one throughout this Province) would be extremely sorry if you should decline this Service; thinking you will be much more likely to serve the Province in its most essential Interests, than a Gentleman of the Chh. of Eng-

land tho' this is by no means the only objection that has been made against Mr. Bollan. The Chh. Party here, and perhaps *some Persons of distinguished Eminence*, may possibly, for their *own private Ends*, throw discouragements and stumbling-blocks in your way, in order to prevent your undertaking this Service. But I hope, Sir, you will not be deterred thereby, when you have the Body of the People so strong in your Favor, as I know them to be. In what I have here said, I do not speak my own private sentiments only, but those of some very worthy Gentlemen here, with whom I have lately conversed on the subject; and who, having heard that I had formerly the Honor of receiving a letter or two from you, have requested me to write to you on this occasion: Which, indeed, I should have done, without any sollicitation to that End. This, Sir, is written in great haste, because I would not miss the Opportunity which now offers, of a Conveyance. I intend to take the Liberty, (knowing that your goodness will indulge me therein) to write you more distinctly as to some particular matters, before long. In the mean Time, I pray God to give you Health, and to direct you in the Affair I have been speaking of. Should you see cause to accept this Service, it may probably be no prejudice to *your own Interest* in the End: But however that may be, I think I shall have reason to congratulate my Country, on having the management of some of her most important Concerns entrusted to so able and upright a person. I am, Hon'd Sir, with sincere and very great Respect, Your most Obedient Humble Servant,

J. Mayhew.

## INSTRUCTIONS TO JASPER MAUDUIT[1]

Sir, — Our late Agent William Bollan, Esqr., having by his letters of the 8th of May 1761, of the 12th of February, and the 15th of March last, Copies of which will be transmitted you with this, informed the General Court that the Province's power of Legislation is like to be nearly affected if not called in Question, by the Requisition of a suspending Clause in our Acts, and that in certain Cases, at least, they shall not take Effect untill they shall have received the Royal Sanction.

We are also informed by the same Gentleman, that "many powerful Reasons have for a long" Time called "for a thorough Examination in order for a full proof and firm Establishment of the Original, inherent and just Title of the Colonies in America to the Rights, Liberties and Benefits of the State, whereof they were Members, when they prosecuted this noble Enterprize, and of which by their great Expence, Toil and Peril in inlarging the Dominions for the Common good, they continued perfect Members, and from whom of Course these Rights descended to their Posterity."

The natural Rights of the Colonists, we humbly conceive to be the same with those of all other British Subjects, and indeed of all Mankind. The principal of these Rights is to be "free from any superior power on Earth, and not to be under the Will or Legislative Authority of Man, but to have only the Law of Nature for his Rule."

[1] June 12, 1762, the Council named Thomas Hutchinson and James Bowdoin, and the House, Thomas Cushing, Colonel John Phillips and Royall Tyler, to prepare during the recess of the Court a letter of instructions to Mauduit. To these instructions were added the like instructions sent to Bollan. Mass. Arch., XXII. 247. The draft of these instructions is in Mass. Arch., LVI. 386, and is in three different writings.

Our political or Civil Rights will be best understood by beginning at the Foundation, "The Liberty of all Men in society is to be under no other legislative power but that established by Consent in the Commonwealth, nor under the Dominion of any Will or Restraint of any Law, but what such legislative shall enact, according to the trust put in it. In General freedom of Men under Government, is to have standing fundamental Rules to live by, common to every one of that Society, and made by the legislative power erected in it; a Liberty to follow my own will in all things where that Rule prescribes not, and not to be subject to the inconstant, uncertain, unknown arbitrary will of another Man; as freedom of Nature is to be under no Restraint but the law of Nature." This Liberty is not only the Right of Britons, and British Subjects, but the Right of all Men in Society, and is so inherent, that they Can't give it up without becoming Slaves, by which they forfeit even life itself. Civil Society great or small, is but the Union of many, for the Mutual Preservation of Life, Liberty and Estate. These notions of Liberty had the Ancient Greeks and Romans, and the same Ideas had our Ancestors in Britain, long before the discovery of America. Most of the Transactions from the Grant of *Magna Charta* to the Revolution may be considered as one continued Struggle between Prince and People, all tending to that happy Establishment, which Great Britain has since enjoyed and is every day increasing to perfection.

The *Allegiance* of British Subjects being perpetual and inseparable from their persons, so while they are in the Breach of none of the Laws of their Country, is their *Liberty*. No Reason can be given why a man should be abridg'd in his Liberty, by removing from Europe to America, any more than by his removing from London to Dover,

or from one side of a street to the other. So long as he remains a British Subject, so long must he be intitled to all the privileges of such an one: The most essential and fundamental of these Priviledges, are by no means local, that is, confined to the Realm; but by the Common law, by the Constitution and by particular Acts of Parliament extended throughout the Dominions. The particulars of these priviledges are to be found in Magna Charta, the Bill of Rights, and in almost every publick Transaction, since the Revolution. By the Laws of Nature and of Nations, which in this Instance at least, are the voice of universal Reason, and of God, when a Nation takes possession of desert, uncultivated and uninhabited Countries, or which to our present purpose is the same thing, of a Country inhabited by Salvages, who are without Laws and Government, and settles a Colony there; such Country tho' separated from the principal Establishment or Mother Country, naturally becomes part of the State, equally with its antient possessions. This is not only Confirmed by the Practice of the Antients, but by the Moderns, ever since the Discovery of America. Frenchmen, Portugals, and Spaniards are no greater Slaves abroad than at home, and by Analogy Britains should be as free on one side of the Atlantic as on the other.

That this is the sense of the British Parliament is among many instances that might be cited very evident from the 13th G: 2nd C: 7. By this Act even Foreigners having lived seven Years in any of the British Colonies are deemed Natives, on taking the Oaths of Allegiance, etc., and are declared by said Act, to be his Majesty's natural born Subjects, of the Kingdom of Great Britain, to all intents, Constructions and purposes, as if any, or every of them, had been or were born within the Kingdom. The Reasons

given for this Naturalization, in the Preamble of the Act are, that "the Increase of the People is the Means of advancing the wealth and Strength of any Nation or Country, and that many Foreigners and Strangers from the *Lenity* of our Government, the *Purity* of our Religion, the *Benefit* of our Laws, the *advantages* of our Trade, and the *security* of our property, might be induced to come and settle in some of his Majesty's Colonies in America, if they were made *partakers* of the *advantages* and *privileges* which the natural born Subjects of this Realm do *there* enjoy."

It seems a little strange that after this explicit declaration of the Parliament, made no longer since, than the 13th Year of the last Reign, that any of the Colonies should be called upon by their agent, and earnestly pressed for a full proof and firm Establishment of their original and inherent Rights.

It is now near three Hundred Years since America was first discovered, and that by, British Subjects, and near ten Generations have passed away, thro' various Toils and many bloody Conflicts, in settling this Country. None of these ever dreamt, but what they were intitled to equal Priviledges, with those of the same Rank, born within the Realm. We have heard it from our Fathers, and their Fathers told it unto them, that British America was ever to be distinguished from the slavish Colonies round about it, as the fortunate Britains are from their Neighbours, upon the Continent of Europe. We humbly conceive that it is for the Interest of Great Britain that her Colonies should be thus distinguished. It is agreed by some very judicious English Writers, that the Expeditions made by our antient Princes, however they might enlarge their power, and exalt their glory, were far enough from being serviceable to the Liberty or property of the Subjects. The

figure Great Britain now makes, arises from Maxims embraced in the Reign of Queen Elizabeth, and which have been in a measure adhered to ever since, and are daily improving by Practice. This wise Queen is thought to have laid the Real Foundation of that Wealth, power and true Glory which we rejoice to see our illustrious Sovereign in the full possession of. She among other great things, promoted the Navigation and Commerce of her subjects, open'd a free passage for them to both the Indies, and excited that spirit which induced her Subjects to make Settlements in the most distant parts of the Globe.

Some things indeed of a very disagreeable kind, (even in her Reign, and much more so, in every Reign afterwards till the Revolution) conspired to hasten these Settlements. These furnish a very striking proof, that the great Author of Nature, and the kind Father of us all, has made the sorest temporal Evils, Civil war and discord subservient to his allwise purposes, and productive of great temporal good. To the freedom of the British Constitution, and to their Increase of Commerce, it is owing, that these Colonies have flourished, without diminishing the inhabitants of the mother Country, contrary to the Effects of plantations made by most other Countries, which have suffered at home, in order to aggrandize themselves abroad.

Great Britain is well known to have increased prodigiously both in Numbers and in wealth, since she began to Colonize. There are very good judges, who scruple not to affirm, that it is to the Growth of the plantations Great Britain is indebted for her present Strength, and populousness. As the wild wastes in America have been turned into pleasant Habitations, and flourishing trading Towns, so many of the little Villages, and obscure Burroughs in England, have put on a New Face, suddenly started up and

become fair Market Towns, and great Cities. London itself, which bid fair to become the Metropolis of the World, is five Times more populous than in the days of Elizabeth. This and numberless other Mutual Advantages are intirely derived from the spirit of Trade and Commerce, the planting of Colonies and some consequential Amendments in our Constitution, or rather to the Reduction of it, to its first principles. Hence it is demonstrable how much we all owe to that beautifull Form of Civil Government under which we live. It is also evidently the Interest, and ought to be the care of all those intrusted with the Administration of the Government, to see that every part of the British Empire enjoys to the full the advantages derived from the Laws, and that Freedom which is the Result of their being maintained with Impartiality and Vigour. This we have seen reduced to Practice in this and the preceding Reigns, and think we have the highest Reason (from the paternal care and goodness that his Majesty has hitherto discovered to all his dutiful and loyal subjects and to us in particular) to rest assured that our priviledges will remain sacred and inviolate: We shall ever pray that our most gracious Sovereign's life may be prolonged, and that he and his posterity may Reign in Britain, and in British America till Time shall be no more.

It must be manifest to every judicious and disinterested person, that the Connection between Britain and her Colonies is so strong and natural, as to make their mutual happiness, depend upon a mutual Support. Nothing tends more to the destruction of both, than sowing seeds of Dissention between them. From the Importance of these principles, it is presumed, that Great Britain has been induced to go through so many glorious Enterprizes during this and the last Reign, for the defence of her Colonies, and that

the Colonies have so very loyally and strenuously exerted themselves. We think it but a piece of Common Justice due to the good people of this Province, to declare that they are not behind any of the Colonies in their Duty to their King and Country.

We have the satisfaction to inform you, that altho' the War is protracted beyond what was expected, this Province has readily complied with every Requisition made for his Majesty's service this year.

We have raised three Thousand three hundred provincials, and granted a Bounty of seven pounds Currency for Eight hundred and ninety Men more to enlist into the Regular Regiments.[1] We shall upon all Occasions rejoice in demonstrating, even with the Sacrifice of life and Fortune, our Attachments to his Majesty's person, Family and Government. The New England Governments for many Years (without any immediate Support from England, or their neighbouring Colonies, some of which last indeed were unable) defended themselves, and protected their Brethren, from the Insults of the French, and the Ravages of the Barbarians. The particulars of these services, and the Expence and loss of Men, may be hereafter collected in one view, and transmitted you. But at present we must attend to the Subject of Legislation.

The power of Legislation is in this Province immediately derived from the Charter of King William and Queen Mary; which with a New impression of our laws will be transmitted you, by the first opportunity. This Legislative power has been ever Subject to the King's Disapprobation, as expressed in said Charter. And all antient Acts of Parliament are received here, and duly obeyed, that can

[1] *Province Laws*, XVII. 177.

be considered as part of, or amending the Common Law; and all such Acts of Parliament as expressly mention the plantations.

By this Charter, it is granted, ordained, and established, that all and every of the Subjects, that shall come to inhabit within this Province or Territory, and every of their Children, which shall happen to be born here, or on the Seas in coming here, or returning from hence, shall have and enjoy all the Liberties and Immunities, of free and natural Subjects, within any of the dominions, to all intents, and Constructions and purposes, whatsoever, as if they had, and every of them were born within the Realm of England. This is declaratory of the Common Law, the Law of nature and nations, which all agree in this particular. There are regularly three Incidents to a subject born: 1. Parents under the actual Obedience of the King. 2. That the place of his Birth, be within the King's dominions. 3. The time of his Birth, is to be chiefly considered, for he cannot be a Subject born of one Kingdom, that was born under the allegiance of the King of another Kingdom, albeit afterwards, the one Kingdom descends, to the King of the other Kingdom, see 7. Coke, Calvin's Case, and the several Acts of Parliament relating to Naturalization, from Ed: 3d to this time. By which it will evidently appear that the British American Colonies are part of the Common wealth and well entitled to the rights, liberties and benefits thereof.

It may not be amiss to observe that we were possessed of one very important branch of Liberty, before the people of England were, for by the Charter of King James 1 to the adventurers, a free profession of Religion is declared to be one of the principal ends of the plantation. This was long enough before the Acts of *Toleration* at home.

The said Charles proceeds,[1] And we do for us, our heirs and Successors, Give and grant, that the said General Court or assembly, shall have full power and authority, to name and settle Annually, all Civil officers within the said Province, such officers excepted, the Election and Constitution of whom, we have by these Presents reserved to us, our heirs and Successors, or to the Governour of our said Province for the Time being; and to set forth the several duties, powers, and Limits, of every such officer, to be appointed by the said General Court or assembly; and the Forms of such Oaths, not repugnant to the Laws, and Statutes of this our Realm of England, as shall be respectively administred to them, for the Execution of their several offices and places; and also to impose Fines, Mulcts, Imprisonments, and other punishments; and to impose and levy proportionable and reasonable assessments, Rates and Taxes, upon the Estates and persons, of all and every the proprietors or Inhabitants of our said Province or Territory, to be issued and disposed of, by Warrant under the hand of the Governor of our said Province, for the time being, with the advice and Consent of the Council for our service, in the Necessary Defence and Support of our Government of our said province or Territory, and the Protection and preservation of the Inhabitants there, according to such Acts, as are or shall be in Force within our said Province and to dispose of Matters and Things whereby our Subjects, Inhabitants of our said Province may be Religiously, Peaceably, and Civilly, governed, protected and defended, so as their good life, and orderly conversation, may win the Indians, Natives of the Country, to the Knowledge and obedience of the only true God, and Saviour of Mankind, and the Christian Faith, which his Royall Majesty, our Royal

[1] What follows is from the Province Charter, 1691.

Grandfather, King Charles the First, in his said Letters Patent, declared was his Royal Intention, and the Adventurers free profession to be the principal End of the said Plantation. And for the Better securing and maintaining Liberty of Conscience, hereby granted to all persons, at any time, being and residing, within our said Province or Territory as aforesaid, willing, commanding and requiring, and by these presents, for us, our heirs and Successors ordaining and appointing, that all such orders, Laws, Statutes and ordinances, instructions and directions, as shall be so made and published under our seal of our said Province or Territory, shall be carefully and duly observed, kept and performed and put in Execution, according to the true intent and meaning of these presents. Provided always And we do by these presents, for us, our heirs and Successors, establish and ordain, that in the framing and passing of all such orders, Laws, Statutes and ordinances, and in all Elections, and Acts of Government whatsoever, to be passed, made or done, by the said General Court or assembly, or in Council; the Governor of our said Province or Territory of the Massachusetts Bay in New England, for the time being, shall have the Negative Voice; and that without his Consent or approbation, signified and declared, in writing, no such orders, Laws, Statutes ordinances Elections, or other Acts of Government whatsoever, so to be made, passed or done by the said General Assembly, or in Council, shall be of any Force, Effect, or Validity; any thing herein contained to the contrary in any wise notwithstanding. And we do for us, our heirs and Successors, establish and ordain, that the said orders, Laws, Statutes and ordinances, be by the first opportunity, after the making thereof, sent or transmitted unto us, our heirs and Successors, under the publick Seal, to be appointed by us, for

our or their approbation, or disallowance. And that in Case all or any of them shall at any time within the Space of three Years, next after the same shall have been presented to us, our heirs and Successors, in our, or their Privy Council, be disallowed and rejected, and so signified by us, our heirs and Successors, under our or their Sign Manual, and Signet; or by order in our or their Privy Council, unto the Governour for the time being, then such and so many of them as shall be so disallowed and rejected, shall thenceforth cease and determine and become utterly Void, and of none Effect. Provided always, That in Case, We, our heirs, or Successors, shall not, within the Term of three Years after the presenting of such orders, laws, Statutes or ordinances, as aforesaid, signify our, or their disallowance, of the same, then the said orders, Laws Statutes or Ordinances, shall be and Continue in full Force and Effect, according to the true Intent and Meaning of the same, until the Expiration thereof, or that the same shall be repealed, by the General Assembly of our said Province for the time being. Provided also, That it shall and May be lawful, for the said Governour, and General Assembly, to make or pass any grant of Lands, lying within the Bounds of the Colonies, formerly called the Colonies of the Massachusetts Bay, and New Plymouth, and Province of Main, in such manner, as heretofore they might have done, by virtue of any former Charter, or letters Patent; which grants of Lands, within the Bounds aforesaid, We do hereby Will and ordain to be and continue forever in full force and Effect, without our further approbation or Consent. And so as Nevertheless, and it is our Royal Will and pleasure, that no grant, or Grants of any Lands, lying or extending from the River of Sagadahock, to the Gulph of St. Lawrence, and Cannada Rivers, and to the Main Sea North-

ward, and Eastward, to be made or past by the Governour and General Assembly of our said Province be of any Force, Validity or Effect, untill we our heirs and Successors shall have signified our or their approbation of the same.

The Reasons against a suspending Clause, in these laws, until the King's approbation, or disapprobation may be known, are briefly these: 1. There is no such thing required by the Words of the Charter, except in a particular Case, to wit of grants of Land, in Sagadahock. 2. The Cotemporary, as well as constant usage to the country, ever since the Charter, and which has never before been called in question, is, as we think, an unanswerable argument in Law, and in reason, that no such thing was ever intended. 3. The Laws for Assessments, Rates and Taxes mentioned in the Charter, and many others are in their nature annual. Now if these are not to take Effect, until they have received the Royal Sanction, they would often not take Effect at all, for the time of their Continuance, or the greatest part of it would be ordinarily elapsed before such Sanction could possibly be obtained. This Consideration is enough to evince, what confusion would happen in the domestick concerns of the province, even in the time of Peace. But in a time of War, as this is, his Majesty's Service would be extremely endangered hereby, for if all Acts and orders for levying our provincial Troops (which are commonly raised in the Spring, and dismissed in the Fall) were to be sent home, as by this principle they must, the Campaign would be over before such Acts and orders could be returned from England. A Multiplicity of such instances might be mentioned, and numberless others that can't be foreseen, may possibly happen, by the Establishment of such a principle. All the officers of the Government, who depend upon annual grants, for their services,

must be by this means, kept out of their pay and Subsistance, untill the Royal approbation be known, so that the Treasury instead of yielding ready and prompt payment, will ever be a year behind hand, and the King's officers in the meantime, starving, and his service Suffering. The Charter provides, that without the Governor's Consent or approbation, signified and declared in writing, no such orders, Laws, Statutes, Ordinances, Elections, or other Acts of Government whatsoever to be made, passed or done by the said General Assembly, or in Council, shall be of any force Effect or Validity. This at least very strongly implies, that immediately upon such consent or approbation, they become Laws, and want nothing but publication, especially as in the Clause preceeding, upon such Consent of the Governor, and publication under the Seal of the Province, the Subject is required to yield carefull and due Obedience.

5. If it had been intended that the Royal approbation should also have been obtained, previous to our Laws having any Force, a Word or two would have put the matter beyond all doubt, as in the subsequent Clauses relating to the grants of Lands. Those in Massachusetts, Plymouth and Province of Main, are expressly grantable by the Province, without having further royal approbation than the Charter. Those in Sagadahock are expressly grantable, by the General Court, but the grant is as expressly suspended until the Royal approbation be signified. 6: This Clause then, "such and so many of them, as shall be disallowed and rejected, shall thenceforth cease and determine, and become utterly void and of none Effect," shews the intent was, to make the King's disallowance in the nature of a repeal, and the act *voidable, not void.* If it is considered in this light all mean Acts are good. This Construction is

abundantly confirmed by the constant usage hitherto, and by the next Clause "Provided always, that in Case we, our heirs or Successors, shall not within the Term of Three years after the presenting of such orders, Laws, Statutes and ordinances as aforesaid, signify, our or their disallowance of the same, then the said orders, Laws, etc. shall be and continue in full force and Effect, according to the true intent, and meaning of the same" until the Expiration thereof, or that the same shall be repealed by the General Assembly. If this doctrine of Suspension takes place, every Act must lie three years, unless his Majesty's pleasure be sooner signified, which is not probable, for there is no Instance, of any allowance being signified, nor is it requisite by Charter, and there have been but few disallowances. If all our Acts are to be three Years, in order for a disapprobation, the most important affairs, as raising Taxes, laying Excise, Imposts, Grants of Money, to his Excellency the Governor, and others for their Salaries, levying Troops, paying and subsisting for the King's service, would be always three years behind hand. Such a form of Legislation, would be a burthen rather than a benefit to the Subject. Omnis Innovatio plus novitate perturbat, quam utilitate prodest. We have proved that be an act, ever so necessary to be carried into immediate Execution, yet by this new system, it may lay and be suspended three years. Let us suppose that the next day after the three years of suspension are expired, the Continuance of the Act, any longer becomes dangerous, or detrimental to the Province, from some one of a Thousand Changes in Circumstances, which are daily turning up, in the ordinary Course of human affairs.

What is to be done: Why the Assembly, as by Charter they have right, repeal this Act, but this Act of repeal can

have no immediate Effect, any more than any other law, but must be suspended it is said for the Royal approbation or disallowance, and may lie three years more without any allowance or disallowance, so here's six years gone, three of which the poor Colony is without a law, perhaps absolutely needful for its being, and three Years after the Occasion of the law ceases, and becomes absolutely bad, it must remain in force. A little Change in Circumstances would cause another similar rotation, and so on Ad infinitum, both in Number and Continuance, Uno absurdo dato Mille Sequuntur.[1]

Further, the Governor, and the Assembly, by the Charter, and in the nature and Reason of things, are deemed in general the most Adequate Judges, of all local Laws, and most of our Laws are such. Some few there may be indeed, of which the boards in England, are infinitely better Judges than we are, but if they all had the Wisdom of angels they must often be in the dark in relation to such as in their nature are local, and have the particular state and Circumstances of this People for their object. If these suspensions are Established, it will be in the power of the Crown, in Effect, to take away our Charter without act of Parliament, or the Ordinary process at Common law, and surely, the laws of England, will never make such Construction of the King's Charter, as to put it in the power of the donor or his Successors to take it away when he pleases. We have nothing of this kind to fear from his present Majesty, or his Ministry, on the contrary, we flatter our selves that when the services and sufferings of the American Colonies in general, and of this in particular, are fully considered, they will afford very strong inducements, to enlarge rather than Curtail our Priviledges. We would recommend to

[1] From this point the draft is in the writing of James Bowdoin.

you, to Consult Mr. Jackson upon this Subject and such other Council, learned in the law as you may think Needfull.

We shall as soon as possible furnish you with some further particulars, relative to this very interesting and important question.

We shall with this transmit you Copies of the Instructions heretofore given Mr. Bollan, and from time to time make such additions as our affairs may require.

In Council, June 14th, 1762. Read and accepted, and ordered that the Secretary transmit a Copy hereof to Mr. Agent Mauduit by the first opportunity.

Sent down for Concurrence.

JNO. COTTON, *Dep: Sec'y.*

In the house of Representatives. June 15, 1762.

Read and Concurr'd.

Copy. TIMO. RUGGLES, SPEAKER.

A. OLIVER, *Sec'y.*

BOSTON, June 15, 1762.

SIR, — I am directed by the General Court to inform you that in case any Attempt should be made to abridge or in any measure controul the General Court in regard to their Power of Legislation as granted by the Province Charter, You are then to make use of the Letter of Instructions herewith sent you upon that Subject, in such manner as your discretion shall dictate; but if no such Attempt should be made, You will in that case keep them to Yourself.

In their behalf, I am, Sir, Your most humble Servant,

AND'W OLIVER.

### SAMUEL MARTIN[1] TO JASPER MAUDUIT

TREASURY CHAMBERS, 21 June, 1762.

SIR, — The Lords Commissioners of His Majesty's Treasury having taken into Consideration the Memorials of the Agents of the several Colonies in America, praying a Distribution of the 200,000£ granted by Parliament in 1761, as a Compensation to the said Colonies for the Troops raised, Cloathed, and paid by them respectively in the Year 1760, My Lords direct me to signify to you their recommendation that the Agents of the said Colonies do meet together and settle their several Demands which their Lordships will be ready to approve; otherwise the said Agents must wait an Answer from General Amherst, upon whose adjustment the Distribution of the said Money will depend.[2] I am, Sir, Your most Humble Servant,

SAM'L MARTIN.

[Endorsed,] To Jasper Mauduit Esqr. Agent for Massachusetts Bay in Lime Street.

### LETTER OF THE COLONY AGENTS[3]

LONDON, 25th June 1762

SIR, — In obedience to the Commands of the Right Honourable the Lords Commissioners of His Majestys Treas-

[1] First Secretary to the Lords of the Treasury.

[2] This letter was based upon a minute of the Treasury dated June 18, 1762, which is printed in *Penn. Col. Rec.*, IX. 49.

[3] Printed in *Penn. Col. Rec.*, IX. 49. Bollan speaks of this letter as having been prepared at the Cardigan-head. It appeared that Mauduit signed the letter with reluctance, and desired to present to the Treasury at the same time a letter claiming compensation for Massachusetts on account of the garrisons. Mauduit, finding himself in difficulty, as the agent of every other colony would naturally oppose his claim to an extra allowance to Massachusetts out of the grant of £200,000, consulted Bollan, and even proposed to abandon the claim. Bollan fully relates the meetings in his letter of July 8, 1762, to the Speaker. Mass. Arch., XXII. 255.

ury, signified by your circular Letter of the 21st instant, to the Agents of the Colonies of North America, touching the Distribution of the 200,000£ granted by Parliament in 1761. as a Compensation to the said Colonies for the Troops raised, clothed and paid by them respectively in the year 1760, We whose names are underwritten have mett and considered what has been recommended to us by your said Letter, and as it appears to us, that the Service performed by our respective Colonies in the year 1760 was exactly similar to that of the preceding year, we are humbly desirous that their Lordships may order the Apportionment of the money granted for the year 1760 in the like manner as was done for the year 1759, and in case, from the Return of General Amherst, any Inequality should appear in this Apportionment, we are willing and contented that out of the money granted for the year 1761, such Inequality be adjusted and settled at the good Pleasure of their Lordships, to which we readily submitt ourselves and are with great Regard, Sir, Your most obedient Servants,

for New York . . . . . Robt. Charles
for New Hampshire . . . Jno. Thomlinson
for Connecticut . . . . Rich'd Jackson
for Pensilvania . . . . . Geo: Aufrere, John Barclay
for New Jersey . . . . . Andrew Drummond & Co.[1]
for Rhode Island . . . . Jos: Sherwood[2]
for Massachusetts Bay . Jasper Mauduit.

[1] Henry Drummond was the active member of the firm.

[2] Sherwood was an attorney at law, in Austin Fryers, near the Royal Exchange. He was appointed agent for Rhode Island in August, 1759. *R. I. Col. Rec.*, vi. 223.

TREASURY MINUTE [1]

White Hall, Treasury Chambers, 25 June, 1762

Present: The Earl of Bute
Sir Francis Dashwood
Lord North
Mr. [James] Oswald
Sir John Turner

Read a Letter from the several Agents for the Colonies in North America, declaring:

"That they are desirous that their lordships may order the apportionment of the Money granted for the Year 1760 in the like manner as was done for the Year 1759, and in case from the return of General Amherst any inequality should appear in this apportionment they are willing and contented that out of the money granted for the year 1761 such inequality be adjusted and settled at the good pleasure of their Lordships, to which they readily submitted themselves."

Read also a Letter of Mr. Jasper Mauduit, Agent for Massachusetts Bay, saying:

"That he has just signed a Letter with the other Agents of the North American Colonies in order to forward the distribution of the money granted by Parliament for the service of the Year 1760, but he must take leave to acquaint the Lords that he has it in command from the Government of the Colony of the Massachusetts Bay to lay in a Claim on their behalf to a sum of Money expended in raising and paying troops for Garrisons at Louisbourgh and Nova Scotia in the Winter preceeding that year, furnished at the

[1] Mass. Arch., vi. 280.

requisition of General Amherst, which he does not take to be included in the proportion of the above Sum granted by Parliament, and for which he begs he may be at liberty to make such application as he shall think necessary hereafter."

Upon reading the said Letter my Lords, observing that a farther Claim is proposed to be reserved in behalf of the Province of Massachusetts Bay with respect to the Apportionment of the sum granted for the Year 1760, do not think it proper to order any apportionment of the said Sum until the proper Certificate shall have been received from General Amherst.

NOTE BY WILLIAM BOLLAN[1]

Mr. Mauduit at our first Meeting after declaring himself a Stranger to the Nature of the Province Service, having desird my Assistance in it, and he having since come to me for my Advice in the Manner aforementiond, it is necessary for me to say, that from the Secretary's Letter wherein Mention is made of the Information to be given him, or the Nature of the Case, I cannot conceive that the General Court desird or intended, that after my Dismission I should from time to time give him my Advice respecting the

[1] This is the last paragraph in the letter from William Bollan to the Speaker, July 8, 1762. Mass. Arch., XXII. 260a. The extract gives some point to an entry in the Diary of John Adams: "Mem. The other [anecdote], of a piece, sent to Fleet to be printed, upon the unfitness of Mr. Mauduit to represent this Province at the British court, both in point of age and knowledge. He is, as that writer says, seventy years old; an honest man, but avaricious; a woollen draper, a mere cit; so ignorant of court and public business, that he knew not where the public offices were, and that he told Mr. Bollan that he was agent for New England. He says that all the other agents laugh at this Province for employing him, and that all persons on that side of the water are surprised at us. That the 'Considerations on the present German War' were written by a person unknown, who hired or persuaded Mr. Mauduit to father it." *Works*, II. 141.

Measures taken or to be taken, in the Execution of the Trust reposed in him; for in that Case, while Another should have the Authority, Credit and Profit of the Agency, I should in Effect be the Agent, or rather in a more troublesome state, as having not only the Trouble to consider what was proper to be done, respecting the great and difficult points of the Province Service, but likewise the Trouble attending his having a different sense of the Matter from myself.

[William Bollan.]

### Treasury Minute [1]

Whitehall, Treasury Chambers, 9th July, 1762

Present: The Earl of Bute
Sir F. Dashwood
Lord North
Mr. Oswald
Sir John Turner

The Agents for the North American Colonies were called in, and it being agreed by Mr. Mauduit, Agent for the Massachusetts Bay, and the rest of the Agents, that the Sum of £10,000, part of the Sum of £200,000 Granted by Parliament for the Services performed by the Colonies for the year 1760, should be reserved in order to answer such Right as shall be made out on behalf of his Colony in respect of the demand stated in Mr. Mauduit's Letter of 25th June, 1762, and that the remainder of the Sum should by common consent be forthwith distributed in the same proportion as the £200,000 granted for 1759 was distributed.

[1] Mass. Arch., vi. 282.

My Lords are pleased to order that the Sum of £190,000, part of the Sum of £200,000 Granted for Services performed in 1760 be accordingly distributed in the said proportions.

A true copy, examined

per M. Rowe

23d July, 1762.

## EDMUND TROWBRIDGE TO WILLIAM BOLLAN[1]

July 15th, 1762

Dear Sir, — In my last I desired you to send some directions concerning your money lent to the Province, but as the Letter did not go so soon as was expected, I was apprehensive that we should hear Nothing from you about it by the 10th June, 1762, when it became payable, and as neither Judge Russell[2] nor I had any suspition of your sending for the money, but Thought you were Coming here as soon as you could, and being Told by the Treasurers "that no Interest would be allowed for any money Borrowed by the Province after the Day of payment, unless it was lent again to the Province; That he could borrow no Money but such as would be payable in Silver or Gold at the rates in the Act mentioned, and that he then had the Offer of as much Money on those Terms as the Government wanted," I supposed that if you did not Lend the money again to the Province you would lose the Interest of it from the 10th of June until you came, and how long that would be we were uncertain, but supposed it would be a Year at least. And considering also that as upon your return you would have to settle with the Government, if we should draw the

[1] From the Dana MSS., by courtesy of Richard Henry Dana.

[2] Chambers Russell (1713–1766).

Silver out of the Treasury, you might be no gainer by it, especially as we did not know where to place the money so as to secure it on Interest, according to the Value of it, and therefore upon the whole we thought it advisable to lend the Money again to the Government on the best Terms we could, if we heard nothing from you by the Time it became payable. And some time last spring I spoke to the Treasurer again about the Money and represented to him among other Things the Danger we were in of being blamed by you for giving up the Government's Securities for the Payment of the Money in Silver at 6/8 per oz., and in lieu thereof Taking Security for the Payment of it in Silver or Gold at the rates mention'd in the Act. Whereupon the Treasurer declared to me that we should not meet with any difficulty on that Account. For if you disapproved of our Taking the new Security he would let us have the Silver. And upon my Informing Judge Russell of this we concluded to let the Treasurer have the Money upon the Terms in Case we received no Orders to the Contrary by the Time it became payable. And as Judge Russell and I were to set out on the Eastern Circuit on the seventh of June, which would be before the money was payable, I waited on the Treasurer to see if he would consent to defer Exchanging the Securities until our Return, and he agreed to do it, and upon my return I, on the 26th of June went to the Treasury, gave up the old Securities and Took one in your Name in the new Form for £4838, being the amount of the Principal and Interest to that Time, and in the Evening of the 29th of June I received your Letter that came by the Way of New York, and thereupon went to Lincoln to Consult with Judge Russell what to do upon it. I had not at this Time the least suspition that his Majesty's ship then in Boston was the *Launceston*, having while at York Court

heard it said in Company that the man-of-war was gone to Boston to take in money to carry home; but it was supposed there would not much be sent in her, as she was to call at Martinico, and in your Letter you spoke of the *Launceston's* being to return with the Mast Ships in the Fall. But upon my return I heard the ship in Boston was called the *Launceston*, and that she was to sail the next Sunday. Upon which I went the next Morning to Boston to see the Treasurer, but failed of doing it that day, he being down at the light house. But I waited on his honor the Lieutenant Governor, told him what had hapned and desired his Advice therein, (and how it came to pass that I did not do it before the Securities were exchanged, I can't conceive, having had frequent opportunities of doing it, and having for a long Time depended more on his Judgment respecting the affair of money than on all the Province besides. Yet so it hapned, I never once thought of it.) His honor was on this, as he is on all other Occasions, so good as to give me his Sentiments on the Affair freely and the next Morning, being Saturday, the Third of July, I went to the Treasurer, informed him of your Orders and demanded payment of the Debt in Silver according to our Agreement. The Treasurer Told me there had been such Large Demands made on the Treasury for Silver to be sent home in the *Launceston* that there was not enough left in the Treasury to answer my demand, and that he did not think it possible to procure sufficient for the purpose soon enough to send it by this Ship. I desired him to take back the new Securities and return me the old ones, as he could not perform the Agreement, but he refused to do it. Then I told him I would follow the Ship to Portsmouth with the Money if it could be had. He said he would go that day and see what silver he could get and let me know upon next Mon-

day, and told me if I could find any he would borrow it and repay it with the first silver that came into the Treasury. Upon which I went and sent to the most likely Persons I could hear or Think of, but found the Town as much drained of silver as the Treasury was. I returned to Cambridge, sent to Judge Russell desiring him to come here as soon as possible, and on Monday I went to the Treasurer, when he told me he could let me have 5000 Dollars, and the rest in Gold: but could get no more Silver. Judge Russell's Indisposition prevented his coming to Boston until Tuesday, when we waited upon the Lieut. Governor, Informed him of the whole, and Desired his Opinion as to what would be best for us to do. Judge Russell told his Honor that he believed if the General Court was sitting some measure would be taken to stop the money. The Lieut. Governor thought no such Order would pass the whole Court. He said, considering the disappointments it would be to you, not to have the money remitted, and the Advantage it would be to you to have it in England if there should be a peace, he thought it advisable to take the 5000 Dollars and the rest in gold if we could get no more Silver, especially as you would insure the money. Upon which we went again to the Treasurer, and as we heard the Ship would not sail before the last of the Week, we urged the Treasurer to increase the Number of Dollars and he promised to do it if possible. Mrs. Russell being very Ill, the Judge returnd home, and the next day I found we were like to get no more Dollars. Upon discourse with Secretary Oliver I thought it advisable to petition the Governor and Council to direct the Treasurer to return one of the old Securities, as he could not let me have the Silver, and drew a Petition accordingly, and the next day shew it to the Lieut. Governor who approved of it. Then I went to the Treasurer and

shew it to him, upon which he told me he had no Objection against my Prefering the Petition, but he was well assured the Consequence of it would be that I should not get any part of the Money until the 28th of next June, as by the Agreements nothing more could be required of him than to pay the money at the End of the Year in Silver, and he was ready to give Bond to do it. This being the first Time the Treasurer had put this Construction on the Agreement, I suspected it came from Otis, and that a Majority of the Council would also put the same Construction upon it, and therefore thought it not advisable to press the Petition, tho' I did not let the Treasurer know it. The Treasurer then offered to let me have 5000 dollars and the remainder in Gold, or to give you a new Security in the same Form for the remainder payable in a year, and to give Bond that the payment should be made in silver Dollars, which I pleased. I told him I would consider his Proposals and would let him know my resolution the next day, and then went to Capt. Sam'l Cary to gain some light there if I could, and he advised me to take the Gold rather than fail of remitting the money, being satisfied, as he said, you had either subscribed towards raising the last Twelve Millions, or was determined to lay out your Money in the Publick funds on a Prospect of Peace, and that in either Case it would be better for you to have your Money remitted in Gold than not at all. And the Lieut. Governor and Judge Russell being of the same Opinion before, I concluded to take the 5000 Dollars and the rest in Gold. And Captn. Sheaff[1] of Charlestown, having procured two Boxes according to your directions, and also Bags, he went with me to the Treasury, and there the Treasurer and the Gentlemen appointed by Captn. Affleck counted the Money,

[1] Edward Sheaffe ( -1771).

and then put it into the Bags, which were sealed with Mr. Russell's seal, and then the Baggs were put into the Boxes, which were nailed down, hooped and surrounded with Tape, sealed, Numberd and Marked as in the Bills of Lading, and Captn. Affleck having signed five Bills of Lading the Boxes were by his Order carried from the Treasury on board the Ship. Captn. Affleck took one of the Bills, as the Treasurer and Captn. Sheaff said it was proper for him to do; but upon examining your Letter I found that we were to keep one and send you four. Whereupon I got a new set of six Bills, but could not get them signed until the 14th Currant, one of which you have herewith Inclosed and shall send you three more according to your Order. The remainder of your Money here being £ [*blank*] and in Judge Russell's hands on Bond in your Name, he could not on such short warning procure it in Silver so as to ship it with the rest; but he says he will remit you £400 sterling in a good Bill of Exchange if he can't get the Money so as to send it by this Ship. I trust Dr. Clark apprised you of Judge Russell's taking £1000 of your Money in [*blank*], the reason of his doing it and that you approved of his keeping it on Interest, I having heard No Thing to the Contrary from you concerning it. Thus, Sir, I have given you as particular an Account of our doings and the reasons thereof as I could, and am very sorry your Letters did not come to hand sooner, or you had intimated to me before that you intended to send for the money; because if you had, you might have had all the money you desired remitted in dollars, which would have been of more advantage to you and saved me much Trouble and Vexation of Spirit.

Secretary Oliver having as he tells me sent you an Account of the Proceedings of the General Court with regard

to your dismission and the Appointment of Jasper Mauduit, Esqr., Agent for this Province, I shall give you a brief Account how and by what means this was effected. Upon Judge Sewall's [1] Death Coll. Brattle and Coll. Otis were each of them desirous of succeeding him, and made Interest accordingly; but neither of them succeeding they, on the Lieut. Governor being appointed Chief Justice, were very angry with him and every one else that they knew or suspected had not favoured their Respective Claims. Coll. Otis's Son James raved against the Governor and his Conduct so loudly as that he sattisfied the People in Boston he was a proper person to represent them in the General Court, and they chose him accordingly, and he, together with a Number of other firebrands There presently set the Government into a Flame, caused the of the Judges of the Superior Court to be judge of the Superior Court. deprived of having a seat in either house, but failing, they were determined to remove you. And for that end privately Insinuated to the Members of the house that our Dissenting Churches were in danger, that you being a Churchman were a very unsuitable Person to represent us in a Time of such eminent Danger. That Mr. Mauduit being at the head of the Dissenters in England was a most likely Person to save us from ruin. That you had Protested the Government Bills without having or giving them any reason for so doing. That you favoured the Officers of the Customs, spent your Time in solliciting their Affairs in England, and neglected the Affairs of the Government, and would not write to the Government, tho you did to your Private friends, with many other things as false and Injurious, and on Monday, the 19th of April in the Afternoon, that Party Taking the Advantage of a very

[1] Stephen Sewall (1702–1760).

thin house and the Absence of your Friends, moved that you might be dismissed, and then obtained a Vote for it without any Time being previously assigned for taking that matter under Consideration. And it was against the rules of the house to take any matter of Consequence under Consideration on a Monday, and the next morning that Vote was concurred by the Council; but the Lieut. Governor, Secretary, and so many others opposed it, so that it was carried by a bare Majority of a very thin Council, and the next day the Governor consented, and then they chose Mr. Mauduit. And whether he will accept or not I know not; but if [he] should refuse and they should hereafter Choose you, I can't again desire you to accept the Trust, but hope you will settle your Accounts with them in England and not again trust to the honor or Justice of those who have treated you so basely. And after you have done yourself Justice, I hope we shall have the Pleasure of seeing you here in peace. I have only to add that your daughter [1] is impatient to see you here, that she is well and behaves in all respects as well as can be reasonably expected or desired, and that I am with the Greatest Esteem, your most obedt. humble Servt.

E[DMUND] T[ROWBRIDGE.]

P. S. I am obliged to you for the Book you were so good as to send me. I am surprised you are alive considering the Infinite Labours you must have been at. If you stay in England untill the Work is Compleat I fear I shall never see you more. It's a great pity so good a work should not be finished by the same carefull hand, but am very loath you should kill yourself doing it.

[1] Frances Shirley, who married Charles Western of Riverhall, Essex, and was the mother of Charles Callis Western, Baron Western (1767–1844).

THOMAS CUSHING TO JASPER MAUDUIT

Boston, October, 12th, 1762

Sir, — Suffer me (tho' a stranger) to express the Satisfaction your letter to Mr. Secretary Oliver gave me, by which I learnt, you had determin'd to act as an Agent for this Province; As the Character I had obtain'd of Mr. Mauduit by some friends here and by being a Member of the General Court, first Induced me to employ what little influence I had to promote your Election, so Duty to my Country and Regard to you, Sir, require me to contribute all in my power to render the execution of so important a trust agreable to yourself and happy for the Province you represent. If therefore I shou'd take the Freedom to offer you a few Hints I hope it won't be disagreable. Presuming upon your Candor, I would beg leave to Observe, that it woud be agreable to the Court to be advised relative to their affairs as often as possible, and the more particular and circumstantial your Informations are the more agreable. I observe you write the Secretary only and omitt writing to the Speaker of the House of Representatives; and as all Publick Letters are signed by the Secretary in the name and by the order of the General Court, I am not surprized, you shou'd conclude that he was the only proper person to direct to, and altho' properly considered this omission is of no great consequence, yet as it was Mr. Bollan's constant Practice to write to the Speaker at the same time he wrote the Secretary and to give the same Information Verbatim to the one as the other. If this practice shoud be discontinued perhaps the House may construe it as a neglect. Mr. Bollan's friends are doubtless uneasy at his Dismission (tho' the good People of the Province in generall are well

pleased with the Alteration) and notwithstanding they have not the least prospect of his reinstatement, yett they will lay hold of every such occasion to sett forth his services and cry up his punctuality and will readily help the House to the Construction aforesaid.

Mr. Bollan in his last letter to the Court takes notice that you decline acting with respect to the Government's Grant of Mount Desart Island to the Governor[1] and for this reason that the Government had given no Instruction to the Agent respecting the same, however, notwithstanding this omission, the Government is much Interested in this matter.[2] They have made a grant of Ten or Twelve Townships in those parts to a number of People who are oblidged to settle the same in a few years,[3] and the Confirmation of these grants they apprehend much depends upon obtaining a Confirmation of the Grant made to the Governor. They have accordingly in their last session chose a Committee during the recess of the Court to prepare Instructions for you upon this Head. You will therefore esteem this as a matter that claims your Attention and will, I doubt not, do all in your Power to forward it.

I understand by the Secretary you are like to succeed in preventing the Governor's obtaining the sole Right of granting Charter, and upon this Principle, that the King himself don't usually exercise rights that are contrary, as the Lawyers term it, to Leges Loci. It has been the constant practice here for the Three Branches of the Legislature to grant all Charters and it will bode ill to the Priviledges of this People if this right should be taken from them and vested solely in a Governor, he may make himself

[1] *Province Laws*, XVII. 168.
[2] *Barrington-Bernard Correspondence*, 56.
[3] *Province Laws*, XVII. 169–177.

as rich and as powerfull as he pleases and when this is the Case our happy Constitution will soon be destroy'd. As I am perswaded a tender regard to the civil and religious Interest of this Country and a sincere desire to promote them, has Induced you to undertake so important a trust, so I am confident you will maintain a constant watch against everything that may annoy your Constituents.[1] You'll consider I write only as a private person and as a friend and therefore won't make mention of anything I have wrote. I heartily wish you success and Prosperity in

[1] A scheme had been set on foot for founding another college in the province, and a petition for that purpose was, after debate, thrown out by the General Court. Governor Bernard then took the matter upon himself. "Some gentlemen at the Western Extremity of this Province projected a Scheme for founding a College and brought in a Bill for that purpose which passed the House and was rejected by the Council. The reasons given by the Council for rejecting it were, that the College was to be vested with University Powers; that the Province could not support two Universities, they would interfere with one another. The Gentlemen then applied to me for a Charter under the Province Seal, and they agreeing to drop the powers excepted to, I ordered a charter to be made out which, giving no other powers but to hold Lands and Money, and sue and be sued, I thought must be unexceptionable. Nevertheless this would not do: a great Cry was made against this Charter upon two points — that it would be detrimental to the old College; that it would be injurious to the rights of the people. I had given so many proofs of my regard for the old College that there was no pretence to suspect me of a design to hurt it; and there was as little room to presume an injury to the rights of the people. For as the granting charters is a right belonging to the King's Seal, and the Charter of the Province is entirely silent about it, it certainly belongs to the King's Seal within this Province in the same manner as it does in other Royal Provinces. Nevertheless, as the prosecution of this affair was no ways an interest of my office, and it might have impeded affairs of greater consequence, I put a stop to the Charter, still insisting on the King's right of granting Charters, tho' I did not think proper to persist in perfecting this particular one. Upon which the whole dispute immediately subsided. It however persuaded me that it would be necessary to guard against the King's right being impeached by an usage of granting incorporations by Act only, which I humbly submit to your Lordship's consideration." *Governor Bernard to the Lords of Trade*, April 12, 1762. *Province Laws*, IV. 562. "This step has given an almost universal uneasiness and alarm; not only as we think the scheme itself of bad tendency, but also because we generally suppose, that the Governor has no such authority as he asserts, and has thus assumed to himself, of granting Charters. As soon as the Overseers of H[arvard] College (consisting of all the Members of his Majesty's Council, the congregational Ministers of Boston, and five other neighbouring towns) heard of the Governor's taking this step, and before the said Charter was actually issued,

all your Attempts to safeguard the Province and promote its welfare and conclude with respect, Your most humble servant,

THOMAS CUSHING.

P. S. I should be glad to be favour'd with a line from you respecting our Publick affairs when your Leasure will permitt.

[Memorandum,] Thos. Cushing's Letter, 8r 12, 1762. Advice for my future proceeding.

## CHARLES CHAUNCY TO JASPER MAUDUIT

BOSTON, October 12th, 1762.

SIR, — Yours of June 11th I have received, and heartily thank you for your kind and speedy care with reference to the important affair, which was the subject of our letter to

tho' sign'd and seal'd, they had a Meeting. And a Committee was appointed to draw up reasons against issuing said Charter, to be laid before his Excellency. Which has been done; those reasons, which are pretty lengthy, having been drawn up by your humble Servant, instead of some more capable person. The G[overnor] has returned an answer to them in writing — such as it is. He has, however, promised to *suspend* said Charter. But he has intimated to us that the persons who sued for it, will make application home for another; in which we fear the G[overnor] will give them his countenance. There is accordingly a large Committee of the Board of Overseers (of which I have the honor to be one) appointed to transmit the Reasons against founding another College, to England, and to lodge them in some proper hands, to be made use of there, if there should be Occasion to prevent a Charter's being obtained from thence. Said Committee is also empowered to make use of any other means, which to them may seem proper, to the same End. This was but three or four days ago: and we have not yet had a meeting on the Occasion. So that I cannot inform you, to whom we shall more directly transmit the said reasons, or make our Application. Mr. Mauduit has been mentioned by some persons on the Occasion. When the Committee meets, I shall propose, if they are not sent immediately to you, that the person to whom they are sent, shall at least be desired to communicate them to you, and to some other worthy Gentlemen; whose united and friendly assistance we shall earnestly crave, if there should be occasion, to prevent a scheme's taking effect, which, we apprehend, would be of very pernicious consequence." *Jonathan Mayhew to Thomas Hollis*, April 6, 1762. MS. See also Quincy, *History of Harvard University*, II. 105.

you. I believe Mr. Bernard will not think of issuing a charter (the thing is so unpopular) unless he should be encouraged from home to do it; and, we trust, what you have done will prevent this. The more we think of it, the more we are convinced, it will be ruinous to the Province, in a religious as well as civil respect, should the Governor be allowed to grant charters by his own single power: And we are fully persuaded, our dissenting brethren could not do us a greater service than by using their interest to hinder it.

We are rejoiced to hear you have accepted the Agency for this Province; and doubt not but we shall reap the good effects of your acting in this capacity on our behalf. We wish you prosperity in all your endeavours to serve us; especially, when they may be laid out to promote our religious welfare, which, we are satisfied, lies near your heart.

I hope, sir, you will ascribe it to a sincere regard for you, and not to impertinence in me, when I inform you, that Mr. Bollan has his friends among us, who will make use of all incidents, opportunities and advantages to serve him. I need not advise you to caution in your conduct towards them. Your own wisdom will direct to this. I believe you may depend on it, that Mr. Bollan will be no more than your complimental friend. In a letter to our General Court (which they ha'n't yet seen, as they are not sitting) since his dismission from the Agency, he has very minutely given an account of your application to him for advice relative to some affairs of the Province, and concludes his long letter with the words in the inclosed paper.[1] 'Tis probable you will have a transcript of the whole letter by some friend or other. I tho't it not improper, as I was now writing, to give you the inclosed paragraph; as it

[1] Page 58, *supra*.

might be of service to you in directing your future conduct towards that Gentleman: Tho' I must ask the favor of your keeping my name a secret in this matter; as also when I tell you, that Mr. O[live]r, your correspondent, is a friend to those of most influence who are the friends of Mr. Bollan.

I ask your pardon, if I have used too much freedom. I meant well in what I have done. Herein, as well as in everything else within my power, I would approve myself to be what I really am, Your sincere friend and humble servant,

CHARLES CHAUNCEY.

P. S. The Boston associated Pastors join with me in their compliments to you, and thanks for your endeavours to serve us. C. C.

P. S. Mr. Wm. Hyslop, treasurer to the Commissioners from the honorable Society in Scotland for propagating Christian knowledge, will send you by this opportunity, a few copies of a Sermon preached, in this town, at the ordination of a Missionary preacher to the Mohawk-Indians.[1] You will dispose of them as may best serve the design of Gospelising those poor people. There seems to be a prospect of doing service among them. If it should lie in your way to encourage so benevolent a design, you would, I believe, do a Christian work. C. C.

[Memorandum,] Rev'd Chas. Chancey Octo'r 12th recd. Decem'r 3d 1762.

[1] *All Nation's of the Earth blessed in Christ, the Seed of Abraham.* A sermon preached by Chauncy, August 31, 1762, at the ordination of Rev. Joseph Bowman (1734–1806).

JASPER MAUDUIT TO HARRISON GRAY[1]

London, October 27, 1762

Sir, — I read with pleasure your Letter of the 11th of August, and rejoice in the opportunity which our mutual concerns afford me of opening a Correspondence with a Gentleman of your known Integrity and goodness. The Zeal which animates the Gentlemen of your province to endeavor the Conversion of the Canadian Indians is truly commendable, and worthy of all kind of Encouragement. As an individual and a friend to religion and Virtue I must naturally wish success to your undertaking. And this prompted me upon the first notice of it, sent me by Mr. Oliver, to propose to the New England Company here, the giving something as a testimony of our hearty concurrence with them.[2] As the Agent of the Province I shall certainly do my utmost to get your Charter established. Besides all the other motives which your letter, and Mr. Secretary and Mr. Bowdoins suggests to me, there is one other Consideration, which with me gives it a peculiar propriety. Mary declares, *that the winning the Indian natives of the Country to the knowledge and obedience of the only true God and Saviour of Mankind and the Christian faith, was what his Royal Majesty, our Royal Grandfather, King Charles the first in his said Letters patent declared was his royal intentions (and the adventures free Profession) to be the principal End*

[1] Mass. Arch., LVI. 407.

[2] On the same date as this letter the English Society sent the following resolution: "*Resolved*, that the Treasurer do acquaint Mr. Oliver that tho' the Company expressed their willingness to allow some money towards the new Society for propagating Christian knowledge among the Indians in North America, they did not expect the Commissioners would have appointed money for that purpose, before the plann they went upon was laid before the Company." MS. in the Society's collections, (013.24, f. 17).

*of the said Plantation.* You may be sure that I shall urge this with its full force in the proper place, and I hope that it may have its weight. Thus far I can act with Consistency; and you may depend upon my doing my utmost to get the act of Incorporation of the Society confirmed.[1] But you will yourself, Sir, easily see the impropriety of my solliciting Subscriptions to it, when I am myself not only a member, but Treasurer of another more antient Society, founded on a Royal Charter, and established for the promoting the very same end and purpose with this new one. How much soever I may have to offer in favour of your new Society, all of it must be equally applicable to our own: and it would therefore be acting a very inconsistent part for me to sollicit for any other in preference to that which

[1] The history of the attempt to obtain articles of incorporation for a society in New England for propagating Christian knowledge amongst the Indians of North America is given in *Province Laws*, IV. 562. Mauduit was appointed its agent. *Mauduit to Bowdoin*, October 27, 1762, and in a letter of April 7, 1763, he gives an account of his proceedings in the matter. 6 *Collections*, IX. 9, 14.

"Our General Court has lately incorporated a considerable Number of persons here, by the name of the Society for propagating Christian knowledge among the Indians of N. America: of which Society I am a Member. The Act of Incorporation is sent Home for his Majesty's Approbation, without which it cannot take Effect. I shall send you a Copy of it. We have about £2000 st. already inscribed as a fund. We are not without apprehensions that our *good Friends* of the Church of E—d will endeavor to obstruct this scheme; but hope, to no purpose. If our charter is confirmed, we shall endeavor to get our Subscription enlarged, both here and in other parts; and to apply ourselves to this business, in the prosecution of which we are, however, in expectation of meeting with many difficulties." *Jonathan Mayhew to Thomas Hollis*, April 6, 1762. MS.

A committee of the Privy Council reported, May 11, against the act of incorporation, and on May 20 the Council accepted the report. The records show that the committee found "that this Act is liable to the following objections — Vizt. 1st. That the operation of the Act, though the Society itself would consist only of the Inhabitants of the Massachusetts, erected by an Act of that Province, would extend beyond the Limits of the Province itself. 2d. That so extensive a Power given to One Colony, may hereafter interfere with any general Plan Your Majesty may think it advisable to sue for the Management of Indian Affairs in North America: Besides which the Society is by the Act subject to no Controll, Audit or Examination, though they are made capable of receiving any Grants of Lands and of disbursing sums for any Services to a very great Extent." *Acts of the Privy Council* (Colonial), 1745–1766, 559.

I am a Member of. I have by this conveyance wrote as Treasurer of the New England Company to Mr. Oliver, by whose two Letters you will know their Sentiments. I am, Sir, your most Humble Servant,

JASPER MAUDUIT.

### JAMES OTIS TO JASPER MAUDUIT

BOSTON, October 28th, 1762

SIR, — I very gratefully received the honor of your most agreeable favor of the 30th of July. Your letters to the Province are also come to hand and afford the highest satisfaction to your friends here, not only from your acceptance of the agency, and the kind profession you are pleased to make of your attachment to the interest of this Province, but from the convincing proofs you have already given of this attachment, by negotiating our affairs with so great dispatch and success. Our pleasure is only allayed by the consideration of the ill state of health; which I pray God may be soon mended. It is with pleasure we hear you are bless'd with a brother, so able and willing to assist you and us. You may rely upon your friends doing everything that is possible to bring about his election as a joint agent with you. That this will finally take place I have no great doubt. But the difficulties in the way at present may partly appear from my former letter. I shall in this be more explicit. Mr. Bollan tho' not a native of this place, came here young, and by the reputation he afterwards gained at the Bar, and a family connexion with Mr. Shirley, our former Governor, whose daughter he married, became so considerable as to be chosen nominal agent for the Province about the year 1746; but in fact has, in the opinion of some, ever since been little more than agent for his

father-in-law, and what is here called the Shirlean faction, a motley mixture of high church men, and dissenters who, for the sake of the offices they sustain, are full as high in their notions of prerogative as the churchmen. At the head of this party is the Lieutenant Governor who by the superficial arts of intrigue, rather than by any solid parts, by cringing to Governors and pushing arbitrary measures, has so far recommended himself to mr. Shirley and to our present Governor that by their means, tho' he was bred a merchant, he is now President of the Council, Chief Justice of the Province, Lieut. General and Captain of castle William, the Capital fortress in the Province, [and] Judge of the Probate of Wills for the County of Suffolk, the first County in the Province. Besides this he has filled the Supreme Court of Judicature with his friends, and the other Courts with his relations and dependants. How incompatible these offices are I need not tell you. How the subject groans under the oppression you may easily guess. This Gentleman stood candidate against you last spring, and, as I am informed, had a promise from the Governor mr. Bernard, induced by fear, that if chosen his posts here should all be given to his friends, except that of chief Justice, which was to lie vacant during his absence.[1] The Lieutenant Governor had rather have mr. Bollan agent than any man living, but himself; and accordingly has ever supported mr. Bollan, with all his might against everybody else. But whenever he has had any prospect of succeeding himself, mr. Bollan has ever been deserted. In short he thinks going home agent would enable him to get the Government which event would be as terrible to the honest part of this Province as a Volcano or an Earthquake. They

[1] In 1768 Bernard suggested that Hutchinson succeed him as Governor. *Barrington-Bernard Correspondence*, 174.

have groaned under his Tyranny twenty years already. Upon Mr. Bollan's dismission last spring there arose three partys. Mr. Bollan's friends adhered pretty generally to the Lieutenant Governor. Mr. Jackson had as many votes as the Governor could make. The rest fell to your share, which as I remember were about sixty-five out of ninety. The Governor never made so small a figure as in this affair, which indeed he had no business with; the house having formerly had an agent of their own, as a check upon the Governor. But latterly the General Court, for the better promotion of peace and harmony, have joined in the choice of an Agent, and so the Governor has had a negative, yet it is tho't too officious in a Governor to interfere at least openly in the election. Mr. Bernard was and I believe now is against Mr. Hutchinson, the Lieutenant Governor, from the motive of fear, lest he might thereby obtain the Government. He was for Mr. Jackson from views of interest hoping in him to have a private agent of his own invested with a publick character. Mr. Jackson being agent for Connecticut, to say no more, was sufficient to defeat his choice. The Lieut. Governor had made himself dreaded by his enormous strides in power, and the lot became yours. The Governor very reluctantly consented to the choice. A dissenting agent is a bitter pill to an *Oxonian*, a *bigot*, a *Plantation Governor*, whose favorite plans are, filling his own pockets at all hazards, pushing the prerogative of the crown beyond all bounds, and propagating high church principles among good peaceable Christians. Perhaps you may wonder at this after the hopes I expressed in my first letter that we should make a convert of the Governor but we are now convinced he is gone. You must not be surprized that such an one is now violent in his opposition to you and that he and the Lieut. Governor

are firmly resolved to have Mr. Bollan or anybody else rather than a dissenter. However their efforts will be vain and fruitless as to you. Possession is eleven points of the law. But as to your brother they may embarrass us at present. Tho' we are determined to try our interest the next session which will be in January. Should we fail then, another year may give us, what, from your recommendation, and the high character we had before heard of your brother, we ardently wish for. Mr. Bernard has been so imprudent as to say openly upon the sight of your letters to the Province (which whenever directed to the Secretary will of course be communicated to the Governor and Council before the house of Representatives see them) *That he supposed the General Court would choose your brother to join you, but if they should he would certainly negative him.* However this we regard but little, for if we can get a vote in the house, it will be as much as the Governor's salary and quiet are worth to negative him; and should he finally do it the house can choose and support him as their agent, which the Governor will be very loth to drive them to, unless his love of power has made him mad as well as blind. It may not be amiss to observe to you that the publick letters from our agents have been usually directed thus, *To the hon'ble the Speaker of the hon'ble house of Representatives of the Province of the Massachusetts Bay in New England.* They may and had best be under cover to the Secretary whose business it is when thus directed to deliver them to the Speaker when in town, or else to the eldest member for the City of Boston, without presuming to open them. By this means your letters will first fall into the hands of your friends, and not into the hands of political enemies as some of yours have.

If I must speak plain Mr. Secretary is as much attached

to the Governor, Lieut. Governor and to Mr. Bollan, as any of us are to you; and by all accounts has communicated to the Governor some intelligence about this arbitrary step in granting a charter for a New College, that had better have been entrusted only with such gentlemen as Dr. Chauncy, Dr. Mayhew, and the Rev'd and very worthy Mr. Cooper: We are very much obliged to Mr. Hollis of the Royal Society for the handsome manner in which he has mentioned you to his friends here, not that it gives us any higher opinion of you than we had before, but as it serves to silence gainsayers.

I heartily congratulate you on the success you have had against the City of London.

Please to make my sincere tho' humble compliments to your brother, to whom I shall presume to address myself the first leisure hour I have, which I fear will not be by this conveyance.

The house of Representatives are fond of hearing from their agent upon all occasions. One of the articles against Mr. Bollan, among many others, was, that they could never get any intelligence from him, even when he did condescend to write them. If you keep on as you have begun, in this and all other respects you must give entire satisfaction. A letter now and then to the whole General Court would not be amiss; but the house of Representatives must be your constant correspondent. With a Governor we think our agent beyond meer civility has little to do. I hope you will excuse my freedom and plainness of speech and, when you find me unfaithfull, deny me the honor of subscribing your most Obedient Obliged Humble Servant,

JAMES OTIS.

[Memorandum,] James Otis Jun'r. 28th 8r 1762.

ANDREW OLIVER TO JASPER MAUDUIT

Boston, 2d November, 1762.

Sir, — The Great and General Court in their late Session in September last directed me in the recess of the Court to prepare an account of the Expences in the Year 1761, and transmit it to you as soon as may be. I have accordingly prepared the said Account and sent it under cover herewith, the Amount of which is £72,878.19.0½. It may be proper for me just to observe to you that although Provision was made by the Court for raising 3000 Men including Officers, for that Year's Campaign, and the Commissary General provided Blankets and other Accoutrements for that number; yet by reason of deaths and desertions the whole number made up in the several Rolls amounted to no more than 2783. Of these 591 Men were retained to keep Garrison during the Winter: And the General made a Requisition of the other Provinces of a proportionable Number of their Forces for the like Service. The Governor has wrote to General Amherst for his Certificate further to authenticate this Account which will be transmitted to you as soon as it comes to hand.[1]

I sent you by Capts. Cromartie and Jacobson, Copies of the General's last Certificate: Mr. Bollan writes the Court that on the 23d March last he sent the Original Certificate under cover of a Letter to Mr. Martyn.

It appears by the Accounts sent to Mr. Bollan of that Year's Service that there was the greater part of 3 Regiments retained in the Service from 2d November 1759 to 1st April 1760 whose Pay during that time amounted to

[1] A copy of a general return of troops furnished in 1761 by the several provinces in North America, signed by Amherst, is in Mass. Arch., VI. 270. It credits Massachusetts with voting 3,220 men, of whom 2,637 took the field, and of these 591 remained in service during the winter.

£21,305.16.10, and the Bounty Money for re-inlisting them to £8,448.12.8. But you are doubtless possessed of these Accounts to which you will please to be referred for further Information.

Your letters of 10th, 17th and 29. July have been duly received and communicated to the Governor and Council, and will be laid before the General Court at their next Session. I am with great Regard, Sir, Your most obedient and most humble Servant,

AND'W OLIVER.

MILITARY ACCOUNTS FOR 1761

By his Excellency Francis Bernard Esqr., Captain General and Governor in Chief in and over his Majesty's Province of the Massachusetts Bay in New England; and Vice Admiral of the same.

[Seal]

FRA. BERNARD

I do hereby Certify that Harrison Gray Esqr., is Treasurer and Receiver General of the Province above said, and that full Faith and entire Credit is and ought to be given to his Acts and Attestations (as on the Paper annexed).

In Testimony whereof I have caused the Public Seal of the Province of the Massachusetts Bay aforesaid to be hereunto affixed; Dated at Boston the second day of November 1762. In the Third Year of his Majesty's Reign. By his Excellency's Command.

A. OLIVER, *Secy.*

ACCOUNT of the several Sums advanced by the Province of Massachusetts Bay for his Majesty's General Service in the year 1761.

The Pay Rolls of the several Companies as passed and allowed by the Governor with the Advice and Consent of

the Council, and for the payment whereof Warrants have been drawn on the Province Treasury as follows vizt.

Colonel Hoar's Regiment employed at Crown Point etc. at the Westward.

| No. of Men | Companies | Wages Amount of | | |
|---|---|---|---|---|
| 8 | Staff Roll | 643 | 19 | 5 |
| 73 | William Barrons | 1070 | 5 | 6 |
| 102 | James Read | 1264 | 14 | 11½ |
| 62 | Abel Keen | 926 | 18 | – |
| 73 | Lemuel Dunbar | 1071 | 3 | 1 |
| 70 | Ephraim Holmes | 969 | 11 | 8 |
| 90 | Jabez Snow | 1372 | 10 | 6 |
| 109 | Job Williams | 1369 | 13 | – |
| 83 | Barachiah Bassett | 1124 | 6 | 5 |
| 47 | Moses Hart | 607 | 2 | 1 |
| 88 | Josiah Dunbar | 1223 | 6 | – |
| 805 | | £11643 | 10 | 7½ |

Colo. Saltonstal's Regiment employed at Crown Point etc. at the Westward.

| | | | | |
|---|---|---|---|---|
| 8 | Staff Roll | £625 | 19 | – |
| 83 | Thomas Farrington | 1199 | – | 3 |
| 89 | Leonard Whiting | 1295 | 9 | 9 |
| 102 | Silas Brown | 1311 | 12 | 2 |
| 101 | John Nixon | 1298 | 5 | 5 |
| 92 | James Gray | 1115 | 6 | 7 |
| 94 | William Shepard | 1232 | 13 | 10 |
| 81 | John Taplin | 1087 | 9 | 4 |
| 94 | Thomas Cowdin | 1220 | 14 | 9 |
| 79 | Edmund Mooers | 978 | 15 | 4 |
| 103 | Jonathan Carver | 1315 | 7 | 6 |
| 926 | | 12680 | 13 | 11 |

Colo. Thwing's Regiment employed at Nova Scotia:

| | | | | |
|---|---|---|---|---|
| 9 | Staff Roll | £699 | 6 | 4 |
| 106 | Johnson Moulton | 1466 | – | 1 |
| 102 | Lemuel Bent | 1466 | 6 | 7 |
| 100 | Simon Jeffries | 1507 | 14 | – |
| 102 | Henry Young Brown | 1678 | 5 | 2 |
| 110 | Gideon Parker | 1607 | 14 | – |
| 102 | Edward Blake | 1586 | 18 | 2 |
| 103 | Giles Harris | 1651 | 6 | 9 |
| 113 | Timothy Hamant | 1709 | 10 | 3 |
| 103 | Moses Parker | 1746 | 3 | 2 |
| 102 | John Dunlap | 1595 | 8 | 10 |
| 1052 | | £16714 | 13 | 4 |

Pay Rolls of the several Regiments vizt.

| | | | | |
|---|---|---|---|---|
| 805 | Colo. Hoar's Regiment | £11643 | 10 | 7½ |
| 926 | Colo. Saltonstal's Regiment | 12680 | 13 | 11 |
| 1052 | Colo. Thwing's Regiment | 16714 | 13 | 4 |
| | Pay Roll of a Company of Invalids left at Crown Point under Ensign Byram from 20 Novem'r 1761 to 10 March 1762 | | | |
| 27 | Invalids | 118 | 13 | 11 |

The following Sums have also been paid out of the Province Treasury for the Service aforesaid, vizt.

| | | | |
|---|---|---|---|
| Bounty Money for inlisting | £24880 | – | – |
| Billetting before the Men received the Kings Provisions, and upon their Return | 1382 | 4 | 8 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Allowances to Sick and Wounded Men, and charges of Doctors, Nurses, etc. | | | 615 | 14 | 11 | | |
| Allowances to Officers for inlisting and mustering Men | | | 368 | 14 | 10 | | |
| Transporting Men and their Baggage | | | 106 | 13 | 5 | | |
| Bounty billetting and Wages paid sundry Persons, not included in the above Sums | | | 56 | 8 | 11 | | |
| Sundry contingent charges | | | 93 | 9 | 2 | 27503 | 5 11 |
| The following Sums have been paid by the Commissary General for the Service aforesd. vizt. | | | | | | | |
| 3000 Blankets @ | 13/4 | £ | 2000 | – | – | | |
| 3000 Haversacks | 2/8 | | 400 | – | – | | |
| 3000 Wood Bottles | 8*d* | | 100 | – | – | | |
| 300 Hatchets and Helves | 3/ | | 45 | – | – | | |
| 500 Tin Kettles | 3/8 | | 91 | 13 | 4 | | |
| 90 Great Coats | 26/8 | | 120 | – | – | | |
| Transporting Stores | | | 162 | 8 | 2 | | |
| Medicines and Hospital Stores | | | 981 | 2 | 11 | | |
| Subsisting Men to their respective Homes | | | 99 | 9 | 3 | | |
| Nurses for the Sick | | | 9 | 15 | 4 | | |
| Cleaning of Arms | | | 208 | 12 | 4 | 4218 | 1 4 |
| | | | | | | £72878 | 19 ½ |

Province of Massachusetts Bay

The foregoing Pages contain the Account of the Province aforesaid for the Charge of the Forces raised by the said Province under the General and Commander in Chief of his Majestys Forces in North America for the Year 1761 amounting to Seventy two thousand eight hundred and seventy eight pounds nineteen shillings and one half peny. And I do hereby certify that Warrants have been drawn on the Treasury by the Governor with the advice and consent of the Council for the whole Amount of the foregoing Account. For the Sums charged by the Commissary General, distinct Warrants were not drawn; but they are contained in his Account, and he hereby discharges himself of the monies advanced to him out of the Treasury upon Warrants from the Governor with the Advice and consent of the Council.

HARRISON GRAY, *Treasr.*

BOSTON, 2d November, 1762.

### JONATHAN MAYHEW TO JASPER MAUDUIT

BOSTON, Nov. 17, 1762.

HON'D SIR, — I lately received the favor of yours of July 31st, by which I understand you had received mine of April 26th. I am glad you do not wholly decline the business of an Agent; as I doubt not your Ability, by what I have heard (and particularly by what Thomas Hollis, Esq. lately wrote to me concerning your activity, connexion, etc.) to do great service to my country in that capacity. And as for the sincerity of your inclinations for it, I have not the least doubt in that respect. I am, however, very sorry to understand, that your health is so imperfect and precarious, that you are under some discouragement on that account. I pray God to restore and confirm it to you.

I have had some conversation with several Gentlemen of his Majesty's council of this Province, respecting what you wrote to others as well as to me (and, as I understand, to the Government here also) about associating your worthy brother with you in the Agency. Those gentlemen will, I am pretty sure, be favourers of this proposal, when our General Court meets. But, by what I can learn, this is likely to meet with great opposition, from those who were against Mr. Bollan's dismission; and probably from some others, thro' an apprehension, that if your brother were join'd with you, it would occasion a very considerable additional expence to the Province.

It is said amongst us, that He was the Author of the *Considerations on the German War*, etc. If it be so, I cannot but say that I should be very glad, that you had for an Assistant in the Agency, a Gentleman of such superior Abilities: taking it for granted that his connexions and sentiments in other respects, are such as you have represented them. But time only will fully discover the inclination of the major part of our general Assembly.

I rejoice to hear that the tedious cause of the Protestant Dissenters is at length determined in their favor. And wish there was reason to consider this as a favourable Omen of the removal of all obstructions in the way to their participating in those civil advantages and honors, which, as good loyal subjects, and in all other respects, they have so much ground to think their natural right. But I fear *Diana*, once so great at Ephesus, is still much too great in England, to expect any such turn of affairs. What you wrote some time since to my very worthy and good friend Dr. Chauncy of this Town, has superseded the occasion for my writing to you about a certain affair, as I otherwise intended. I am, Sir, with very great Respect, and sincere

wishes for your health and prosperity, Your most Obedient Humble Servant,

JONATHAN MAYHEW.

P. S. Feb. 21, 1763. Sir, This has been waiting ever since the former Date, for a convenient Opportunity of Conveyance. Before you receive it, you will probably have heard, that tho' our lower House of Assembly chose your Brother as your Assistant in the Agency, the Vote was non-concurr'd by the Council, thro' the influence of the G———r. Together with this, I send you two Sermons which I lately published, to the Care of Thos. Hollis, Esq: of which I beg your kind acceptance.[1] I also send a Copy of the same to your learned Brother; and am, Sir, both Your and His Very Humble Servant,

J. MAYHEW.

## HARRISON GRAY TO JASPER MAUDUIT

BOSTON, December 8th, 1762.

SIR, — I wrote you by Capt. Davis inclosing you an Account of the Bills of Exchange I had then drawn on you by Order of Government amounting to £42,162 Sterling since which I have not been favoured with any from you.

I now inclose you a schedule of Bills I have drawn on you since that Time to the Amount of £10,558, which the possessors have remitted to their respective Correspondence by different conveyances, hope they have met with due honour, notwithstanding you have had no Advice from me, the Act of Government and the Tenour of the Bills not requiring that I should advise you of my Draughts previous to your paying them, however as such advice can do

[1] *Two Sermons on the Nature, Extent and Perfection of the Divine Goodness.* Delivered December 9, 1762, on the annual thanksgiving of the Province.

no harm I now send it to you, and am with the Utmost Sincerity, Your most Obedient and most humble Servant,

Harrison Gray.

ANDREW OLIVER TO JASPER MAUDUIT

Boston, 20 December, 1762.

Sir, — Your Letters of 23. June, 10, 17 and 29 July have been laid before the Governor and Council: the General Court is to sit on the 12th of January. In the meantime I am directed by the Governor and Council to transmit you Copies of the Lieut: Governor's Letters to Mr. Bollan of 14 July, 1760, and 6 June, 1761, which now come under cover herewith; together with Copies of 2 Letters, of 31 October and 21 November last, from General Amherst to the Governor; all which may serve to give you some insight into the Province's demand on account of the Winter Service in 1759–60; and for the Men who served under Admiral Durell in the River St. Lawrence at the Reduction of Quebec. I am, Sir, Your most obedient humble Servant,

And'w Oliver.

P. S. I also send you triplicate of General Amherst's Certificate of 6 December 1761. I have your favor of 4 October a particular Reply to which, I must beg leave to refer to some future opportunity.

[Enclosures]

Extract of a Letter from General Amherst to his Excellency the Governor dated, New York, 31 October, 1762.

Sir! — As your Letter of the 23d September came to hand about the time of your setting out for Penobscot I deferred acknowledging it until your Return. I am now to acquaint you that having received directions from the Lords of the Treasury to transmit to them Certificates of the number of

Troops levied, cloathed, etc., by each of the Provinces for the Service of the Year 1760, and to return the like Certificate for every Year, I am preparing those for 1760, 1761 and 1762, in which the Massachusetts Government of course will be included; and so soon as they are ready, I shall transmit the whole to the Lords Commissioners of his Majesty's Treasury agreeable to their Lordship's directions. I am with great regard Sir Your most obedient humble Servant, JEFF. AMHERST.

NEW YORK, 21 November, 1762.

SIR! — I had last night the favour of your Letter of the 11th Instant: You may remember that in December, 1761, on your application to me I transmitted you a Certificate of the number and time of Service of the Troops in the pay of your Province during the Winter 1759–60 in the only method I could take upon me to certify. The Lords Commissioners of the Treasury having desired Certificates to be returned to them of the Troops furnished by the several Provinces for 1760, 1761 and 1762, as I acquainted you in mine of the 31 Ultimo, I have accordingly prepared such, and they are now ready to go by the first oppertunity to England. As to signing the Rolls made out by your Officers, that is what I can by no means do, nor can I make any Alterations in the method proposed by the Lords of the Treasury, which I have obeyed, so that there is no occasion for Mr. Goldthwait's [1] coming with any Papers relative to that matter; but if you think it necessary to send him for the Settlement of the billetting money, which I hope will be easily adjusted, I can have no objection. I am with great Regards, Sir, Your most obedient humble Servant, JEFF. AMHERST.

[1] Thomas Goldthwait.

### ANDREW OLIVER TO JASPER MAUDUIT

Boston, 11 January, 1763.

Sir, — I herewith send you my Bill on yourself payable to your own order, and pray the favour of you to send me a Bob Wig for myself about two Guineas price, and a fashionable Watch for my Son as good as can you get for six Guineas.

I expect I am a small matter in your debt, and Mr. Bollan writes me that he had omitted a Guinea which he paid towards my Commission: if it be agreeable to you, please to pay him the Guinea and the Ballance of my Account to Messrs. Champion & Hayley. I am Sir Your most humble Servant, And'w Oliver.

Directions for the Barber

A Bob Wig for Mr. Oliver of a middling size, rather deep in the head and large in the Ribon, than any ways under size: and he is desired to keep the measure by him to serve hereafter.

### THE SPEAKER OF THE HOUSE TO JASPER MAUDUIT[1]

Boston, 29th January 1763.

Sir, — Your Letter to the Secretary of the 29th of June has been communicated to the House of Representatives; I am to inform you that the House entirely approve of your Conduct, and are highly pleased with the Success of your Applications to the Treasury, and have voted you their Thanks, which this conveys: Measures are taking that the Certificates from Sir Jeffery Amherst, and other Documents you require in support of the Demand for the Nova-Scotia and Louisbourg Troops may be transmitted you as soon as possible.

[1] This letter was printed in the *Journals of the House of Representatives*, January 29, 1763.

The House would have readily complied with your Desire of joining your Brother Israel Mauduit, Esq. with you in the Agency, had it been in their Power; but publick Oeconomy and Frugality, at all Times prudent, are by Reason of the very heavy Burden of Debt incurred by this Province during the present War, rendered absolutely necessary, and the additional Expence of another Agent is become an Object of great Deliberation.[1]

The House think themselves happy in your Acceptance of the Trust, and rest satisfied that the Interests of the Province are at present quite safe in the Hands of a Gentleman of your Ability and Integrity. The House will however at all times be ready to gratify their Agent in any Request for his Ease, the charge of which they may be able to support.

In the meantime, the House wish you Health, and Happiness and Prosperity in all your Negotiations for yourself, and for Others. TIMO. RUGGLES, SP'KR.

SIR, — By direction of the Hon'ble House of Representatives I inclose the within written Letter to you by the first opportunity, which I wish safe to your hands. I am with proper regard Sir Your most Obedient Servant,

ROLAND COTTON,
*Cler. Dom. Rep.*

### ANDREW OLIVER TO JASPER MAUDUIT

BOSTON, 7 February, 1763.

SIR, — Your Letters of 23d June, the 10th, 17th and 29th July have been laid before the General Court, and I am directed to inform you of their great Satisfaction in your

[1] The House on January 17, and the Council on the 19th, voted to join Israel Mauduit to the agency, upon the "express condition that the Province be put to no further expense for the Agency, than if this appointment had not been made." Mass. Arch., XXII. 269.

having undertaken the Office of Agent for the Province, in which they make no doubt your endeavours will be exerted to promote its best Interests upon all Occasions.

They observe you had receivd £57,602.6.– Sterling for the Province Share of the Parliamentary Grant of £200,000 made to the Colonies for their Services in 1760, with which you were paying the Bills outstanding drawn upon Mr. Bollan on the credit of the preceeding Year's Grant: said outstanding Bills according to a List delivered you by him amounting to £3,007. besides a Bill of £150. that was come to hand, not included in said List; and that the rest was lying at the Bank for the Orders of the General Court.

They observe also you had procured a Stoppage to be made at the Treasury out of said Grant of £10,000. to answer the Province Claim to a Reimbursement for the Winter Service of 1759–60, and any other Claims; and desire to be furnished with General Amherst's Certificate of the numbers employed in that Service, or with Testimonials at least as authentic as those of any other Colony. It gives the General Court a particular pleasure that you have been able to succeed thus far in this matter notwithstanding the clamorous Remonstrances of those who objected to the validity of the Province Claim.

With regard to a Certificate from General Amherst, there was one obtained from him and sent to Mr. Bollan which 'tis presumed you are possessed of before this time, or of copies thereof transmitted you by the Secretary. This was the fullest Certificate that could be procured from the General; with respect to which you are referred to a Letter from the Lieut. Governor to Mr. Bollan, dated the 19 December, 1761, Copy of which you will have herewith. The only further evidence you can be furnished with in this Affair is an authenticated Copy of the Pay

Rolls of the three Regiments employed, which with those of the Regiments employed in 1760 'tis apprehended you have receiv'd from Mr. Bollan: and this Evidence from the nature of it, must be deemed satisfactory to persons disinterested (and such the Lords of the Treasury, who are to judge in this matter, undoubtedly are) it being impossible to be imagined that the General Court would throw away the Province money upon persons not employed in its Service. This evidence must appear further satisfactory if it be considered that the Province have in equity an undoubted right to a full reimbursement of the expence incurred by said Winter Service, as the other Colonies did nothing to balance it. The whole expence of the Service per said Rolls is £29,754.9.6. lawful money of the Province equal to £22,315.17.1½ Sterling: and the £10,000. stopped being very inadequate to said expence, 'tis not doubted you'll be able to procure the whole of it for the Province. If any opportunity should offer to procure satisfaction for the remainder of this most righteous Claim the General Court relys upon you to embrace it. They would recommend to you to endeavour to procure it out of the grant for 1761, or if the Grant for 1762 should not be made, you might petition the Parliament, that in the apportioning said Grant, this Claim may be admitted. What you think the best method, you will please to pursue.

With regard to your request that your Brother, Israel Mauduit, Esq. may be joined with you in the Commission and Power of Agent, the General Court, altho' they are greatly disposed to give you all the ease and satisfaction in their power, yet think it inconvenient at this time, that there should be two Agents; but shall always kindly resent your Brother's Friendship, in using his Interest for the Service of the Province.

This Letter prepared by the direction of the General Court is sent you in their name and by their Order. I am, Sir, Your most obedient and most humble Servant,

And'w Oliver.

### JAMES OTIS TO JASPER MAUDUIT

Boston, February 14th, 1763.

I am to inform you, that agreeable to your request, we have used our best endeavors to have your worthy brother Israel Mauduit, joined with you in the Agency. We once obtained a vote for it in the house, but it being by a bare majority the Council non-concurred; so it was sent down and time gained, and every art used by the Governor and his dependents, to prevent the house from adhering to their own vote. But it would all have been in vain, had not the objection, of the expence of two agents, or a double expence been play'd off. We could not assure the house that no additional expence would accrue, and therefore failed. The Governor, Lieut. Governor and the Secretary were your most strenuous opposers, and all under pretence of a prior appointment or encouragement of Mr. Jackson who I believe will never be agent for this Province. He is not so much as standing Council, tho in one of yours you seem to consider him in that view. It was only recommended to you to advise with that gentleman in matters of law; and even this was done as a Compliment to the Governor. You have notwithstanding any such recommendation a right as I conceive to advise with any other person. It may be your duty in some cases to do so. The Lieut. Governor will be Agent rather than Mr. Jackson. Tho the Governor is made to think that he is a fast friend to Mr. Jackson's election. Some of the Governor's dependents and the Lieut. Governor's tools have gone great lengths not only in abus-

ing your and your brother's Characters; but one of them namely *Thomas Goldthwait* (called here Secretary at Warr, a new office of our present Governor's creation) publickly in the house of Representatives, upon my mentioning your brother's character and connexions, and among other things that he had the honor to be known to Lord Bute, *said*, "*it was no credit to be known to Lord Bute, for his Lordship was the author of all the disturbances in England*," or words to that effect. We don't know much about the great ones at this distance, but it seems a little strange, to some here, that most of the King's civil officers here, especially the higher ones, make it so much their business to impress unfavorable sentiments of that Nobleman. You will find there is a little paper war commenced here in which I am sorry you are concerned and fear it will give you pain but it was unavoidable. Your great back friends at Court not content with abusing you more privately, at last got published an advertisement pretending to excuse the suppressing a piece relating to the ignorance and incapacity of Mr. Agent *Mauduit*, the name at full length.[1] This you may be assured raised the indignation of your real friends. The papers are inclosed and need no further Clue. I really fear this poor Province will be undone under the present administration, which is the weakest and most arbitrary that we have known since the Revolution. If either the Governor

[1] "A. Z.'s Piece relating to Mr. *Mauduit's* being chose Agent for this Province at the Court of *Great Britain*, and of his Ignorance of public Affairs, we think not *prudent* to publish; at least not till the Author discovers himself in order to vouch for the Truth of the Facts therein asserted, in case there should be Occasion for it." *Boston Evening Post*, January 24, 1763. In the *Boston Gazette*, January 17, had appeared a communication showing how much Mauduit had saved the Province by securing a deduction from the stoppage on a payment from the Treasury on Massachusetts' account, and the discussion of the comparative merits of the two Agents continued in the issues of January 24 and 31. A. Z.'s piece appears to have been printed, but I do not find it in any of the four Boston newspapers of that time.

could be removed to some better place, and a wiser man sent in his room, that would act for himself, or if the Lieut. Governor could be confined to any one or two great posts, as Chief Justice or anything but Governor in Chief, we might doe well enough. But while he has all the real power of the Province in his hands but the militia a much wiser Governor than I have yet seen must submit to him or live in perpetual broils. Our case is similar to that of New York in Lieut. Governor De Lancy's time who for years made every Governor his dupe or leave the Province. It is to me very disagreeable to trouble you with these things. I have no view to my own interest. My country groans under many oppressions. Many more seem to be impending, which I am sure so gracious a sovereign as ours can never be supposed to permit. We are at a great distance from the Throne, but we conceive ourselves entitled to all the Priviledges of British subjects. The laws of England give us these priviledges, and England will ultimately be hurt by the growth of arbitrary power in the hands of plantation Governors.

I assure myself no such use will ever be made of my letters as to give me the trouble of fending and proving with our Gentry here, but for which I should not care who see them. I am your most obedient humble Servant,

James Otis.

### HARRISON GRAY TO JASPER MAUDUIT

Boston, February 19th, 1763

Sir, — Your public Letter of the 27th of October via New York came to hand in due season, the bill No. 101 for One hundred pounds not being included in the 421 and 2 was not owing to any Mistake of my Clerks it not being drawn till after I had sent you an Account of what bills I had

drawn by Capt. Davis, upon looking over the Copy I found I had numberd none of my bills with that number and therefore I prefixed it, to the above mentioned bill of £100 sold to Royal Tyler Esq.

I presume long before now you have rec'd a Schedul of bills drawn on you since the 11th August amounting to 10,558; since which I have drawn only One sett of the 23d December in favour of John Tyng for One hundred pounds. I shall draw for the remainder in a few days. Sir, Your most Obedient humble Servant, H. Gray.

### THE SPEAKER OF THE HOUSE TO JASPER MAUDUIT

Boston, 22nd February, 1763

Sir, — William Bollan Esqr. the late Agent for this Province having made diverse Stoppages of considerable Sums out of the Parliamentary Grants, without giving any Account or Reason therefor,

You are therefore directed to demand an Account of the said Mr. Bollan of the said Stoppages and the Reasons thereof,

And to transmit such Accounts as you may receive for the Consideration of the House by the first Opportunity.

I am, in behalf of the House of Representatives, Your most humble Servant, Timo. Ruggles, *Sp'kr.*

Sir, — I am directed to forward this Letter to you which I now do. And am Your most Obedient Servant,

Roland Cotton, *Cler. Dom. Rep.*

### JASPER MAUDUIT TO THE SPEAKER[1]

London, April 8, 1763

Sir, — I have the honor of your Letter of the 7th of February, prepared by the Direction, and sent in the name of

[1] Mass. Arch., civ. 249.

the General Court, in answer to mine of the 10th, 17th, and 28th of July. It gives me great Satisfaction to find that the General Court are pleased with my having been able to succeed so far as to obtain out of the £200,000 granted by parliament a stoppage of £10,000, to answer the Claims for the Winter service of the year 1759–60. It gives me the more Satisfaction when I recollect that this was a Claim which had been given up as desperate; and which the Treasury board in a former year [1] (as appeared by the Letters) had refused to take any notice of. But I am not sensible that in any of my Letters I have said anything to warrant any sanguine hopes of my obtaining the whole of this £10,000, in opposition to the Agents of all the other provinces, who are putting in their claims to a part of it; and much less of obtaining the remainder of your charge by any other measures. It was with a more especial view to this contest, that I particularly wish'd to have my brother's Assistance; because I knew that the additional weight of his Interest might be of service to the province, without adding to the Expense of it. I have got Mr. Martin to find out General Amherst's Certificate, but you will recollect what were the Sentiments about the defects of said Certificate, express'd in the Letter of the 19th December, 1761, which gives an account of the first obtaining it. I shall do my utmost, however, to urge the authority of it, as far as it will go. But as the principal object of the advice contained in this Letter seems to be the recommending to me the procuring satisfaction for the remainder of the claim, and the petitioning first the Board of Treasury, and then the parliament for that purpose, I hope that I shall not incur the displeasure of the General Court, if I do not immediately follow their Directions.

[1] In the margin is written "July, 1762."

As to the petitioning the Treasury to have any part of the provinces charges for the Winter 1759–60 deducted out of the compensation granted to all the Colonies for the Year 1761, I have before observed to you, in my Letters of the 17th of July, that it is not in the *power* of the Treasury to take the Money granted for one service, and give it to any other service, than that to which the bill had appropriated it.

And as to my petitioning Parliament, I am sorry to find that the General Court are not sufficiently informed of the Nature of such an Application. There is no one standing order of the house of Commons more strictly adhered to, than the order that no Petition for money can be received there, unless the proper officer of the Crown (which is commonly the Chancellor of the Exchequer or some Lord of the Treasury) stand up in his place, and signify to the house that his Majesty has been acquainted with that petition, and recommends to them the contents of it. Under these Circumstances the General Court will easily reflect how difficult a thing it will be to persuade a Lord of the Treasury to recommend our petition, first to his Majesty, and then to the house of Commons; when that petition must from the nature of it be founded on the supposition, that the Lord of the Treasury had not done us justice.

I might indeed alledge, as the Letter does, that the £10,000 stop'd is very inadequate to the Sum claim'd. But I fear that any Lord would tell me that the proportion which £10,000 bears to £29,000 is greater than that of £60,000 to £186,000. And that the annual parliamentary Grants have never much exceeded the proportion of one-half of the sum total of the several provinces' claims. You will consider, therefore, whether, when the other Colonies are content with the Compensation allotted them, of about the half of their Expences, it would not be showing the province in a

very disadvantageous Light to present a petition to parliament setting forth that we are content with nothing less than the whole of ours. On the other hand, after such a fruitless application, and attempting at more than we can support, whether there would not be just ground of apprehending, that the Board of Treasury might be disposed to allot us so much the less share of the £10,000, for our having thus publickly arraigned the Equity of their proceedings.

These are the reflections which unavoidably presented themselves upon reading the advice to petition parliament: and I thought it my duty to point out to the General Court the impropriety of such a measure.

Upon the whole, therefore, tho' I shall always pay the greatest deference to everything which is contained in your Letters; yet as I fear that the General Court must have been inadvertently misled into the Giving me this advice; I hope that they will acquit me of the want of respect, if I do not immediately petition parliament, but wait for their farther directions, before I take so hazardous and unwarrantable a step.

I have heard nothing since my last from the Treasury upon this Subject. But the Agents are to have a meeting upon it next Week. I have from the beginning said that the final determination must rest with the Lords of the Treasury. All which I can promise is, as far as my health will permit me, to pay the utmost attention to your Interest: And, as we now see that there can be no hope of a recovery by any after Game, to manage this first Game so much the more cautiously. I am, with the highest regard for the General Court, your most Obedient, Humble, Servant,

JASPER MAUDUIT.

The Bill for lowering the Duty on French Molasses is put off till another Year.

## ACCOUNT

*Dr.* PROVINCE OF MASSACHUSETTS BAY WITH JASPER MAUDUIT, AGENT[1] *Cr.*

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 1762 | | | | 1762 | | | |
| June | 24 | To Cash pd. Mr. Bollan's Clerk sort'g his Papers for me | £1. 1.– | July | 27 | By Cash receiv'd the Compensation for the Year 1760 | £57,602. 6.– |
| July | 9 | To do. pd. for Copy of a Minute of the Treasury | 1. 1.– | 1763 | | | |
| | 22 | To do. Fees to the Treasury Clerk on my rec'g the Warrant | 15.15.– | April | | By Ballance due to me Carried to next Year's Account | 146.10.1 |
| | 23 | To do. Copy of a Minute of the Lords | 1. 1.– | | | | 57.748.16.1 |
| | 27 | To do. Entering my Power at the Auditor's Office | 2. 2.– | | | | |
| | | To do. Fees one Guinea pr. Thousand on the Rec'g to £57,602.6.0. at the Pay Office | 59.17.– | | | | |
| | 29 | To do. 14 Bills on Mr. Bollan | 3157. –.– | April 25th, 1763. | | | |
| | | To do. Interest on ditto as pr. Bill Acco't | 103.18.7 | | | Errors Excepted. | |
| | 30 | To do. Door keepers of the Treasury | 1. 1.– | | | JASPR MAUDUIT | |
| | | To do. 174 Bills by H. Gray, Esq. on Jasper Mauduit from No. 1 to 174 | 53820. –.– | | | | |
| | | To do. Chamber and Doorkeepers at Plantation Office | 2. 2.– | | | | |
| 1763 | | | | | | | |
| Janry. | | To do. Copys of Gen'l. Amherst Certificates | 3. 3.– | | | | |
| March | | To do. Doorkeepers | 1. 1.– | | | | |
| April | | To do. Paid Copies of Papers at Plantation Office | 3.13.6 | | | | |
| | | To Commission rec'g and pay'g £57,602 at 1 per cent. | 576 | | | | |
| | | | 57.748.16.1 | | | | |

[1] Mass. Arch., CIV. 252.

HARRISON GRAY TO JASPER MAUDUIT

Boston, May 3d, 1763

Sir, — Our good friend Doc'r Mayhew tells me he has sent you by this Conveyance, his Observations on the Charter and Conduct of the Society for the propagation of the Gospel in Foreign Parts.[1] The Doc'r has done himself great Honour by writing this piece. I think I never knew any performance of a Controversial nature meet with so general approbation and applause, excepting among some bigoted high Churchmen, who most sincerely Curse it. Gentlemen of the best sence and learning here, think that the Doctor's Arguments are conclusive. And I can't but think that it's being reprinted in London and dispersed among the Dissenters will be of eminent service to the dissenting Interest, they will no longer be gull'd out of their money to support Episcopacy in America.

The performance was sudden, and as the Doctor had several Avocations, and in his Correcting the press, the Main Argument being what chiefly engaged his Attention, he let several immaterial Errors escape his notice, and in page 54 he has mentioned Portsmouth and it should have been Newport, which you will be so good as to correct if it should have an impression with you. My Compliments to your Brother and believe me to be with the utmost sincerity, Your most Obedient Humble Servant, H. Gray.

P. S. If the Doctor's observations should be reprinted will you be so good as to send me 50 Copies and I will with pleasure repay you.

[Memorandum,] H. Gray. May 3d, 1763. recd. June 16, 1763.

[1] See next page.

DR. MAYHEW'S "OBSERVATIONS" [1]

In 1701 King William III granted a charter to a "Society for the propagation of the Gospel in foreign parts." The terms of the charter were general, and the Society could act in almost any part of the British dominions where provision for a ministry fell short of what was needful to the support of an orthodox clergy. The principal grounds for instituting the Society was to combat atheism and infidelity in the plantations and colonies beyond the seas, and to discourage the labors of "divers Romish priests and jesuits" who sought to "pervert and draw over our said loving subjects to Popish superstition and idolatry." Sixty years after the Society began to fulfil its purpose, some of the orthodox in New England came to believe that the funds of the Society were being applied to support the church of England party and to undermine the congregational and presbyterian churches among them. Episcopacy was promoted in opposition to the New England churches. In 1761 thirty representatives of the Society were stationed in the more populous towns of New England, although thirty-five were in New York, New Jersey and Pennsylvania, and fourteen in the more southern colonies and the West Indies. Mayhew asserted that the Society "robbed the heathen, the slaves and the heathenish colonies [of the south], who had an exclusive right, according to the charter, to the benefit of that very money which has been sunk in the episcopal gulph here, where the people actually 'had the means of religion in other protestant communions.'" *Observations*, 110. To correct this tendency, as well as to work for the conversion of the heathen,

[1] Note by the Editor.

some in Massachusetts asked the General Court for a charter.[1]

At once a controversy arose over the conduct of the English Society. Rev. East Apthorp, fellow of Jesus College, Cambridge, and missionary of the Society in Cambridge, N. E., wrote a pamphlet *Considerations on the Institution and Conduct* of the London corporation, and it was printed early in 1763. Rev. Dr. Mayhew took up the challenge, and hastily prepared for publication a much larger tract — *Observations on the Charter and Conduct of the Society*, etc. Published in April, 1763, Mayhew sent a copy to Hollis, suggesting that a reprint in London "might be of service in more respects than one." He continued: "Just as these *Observations* came out of the Press, we had authentic advices here, that the Archbishop of Canterbury, and the pious Society aforesaid, made great opposition to *our* newly incorporated Society in America receiving the royal Approbation. So that it seems that they will neither do anything considerable themselves towards civilizing and Christianizing the Indians, nor allow us to do it, if they can prevent it!"

An English edition appeared late in 1763. Of this Hollis wrote, December 6: "Among the tracts are two copies of the *Observations*, with East Apthorp's publication annexed to them; which have been republished here, in reality, tho' under a feigned name, by A. Millar, Printer to the *Episcopal* Society for propagating the Gospel in foreign parts; and it is apprehended, with tolerable exactness.

"To have republished *The Observations* earlier, in the Summer, when the Town was empty, would have been to little purpose, other than to have had them disregarded wholly as old in the Winter. And to have omitted Apthorp's

[1] See p. 70, *supra*.

tract might have occasioned some persons to suspect a truth and importance in it, which it certainly has not. But now, both are seen at least, in some degree, and judged and talked of. I confess to have spoken to A. Millar about this Republication, and to have lent him the tracts for his perusal to that end. Having read them he acknowledged the warping commendam art of one writer; and the intelligent, faithful, manly fervor of the other writer, with the greatness and excellence of his Cause: But said the Observations were unlikely to meet a current sale from their size and from the times. He then proposed the giving an abridgment of them; as had proposed earlier, in private conversation, a learned ingenuous friend of mine. To that I had many objections; and would not suffer for the originality, spirit, character of a very fine tract, which from its compass, warmth, might be deemed too diffused in some few respects, to be broke in upon, or altered, or endangered, in any shape.

"At length, after various meetings, it was agreed that the *Observations* should be printed intire, by Millar, tho' anonimously; and that from Candor and a good Cause Apthorp's tract should be added to them: and thus they appeared at the meeting of the Parliament.

"In the whole of this affair Mr. Millar behaved handsomely. And if I went out of my usual course in it, it was purely to help on a noble cause, tho' in a small degree, and, sir, to evidence my respect to you."

That Millar should imagine that in reprinting the *Observations* he was doing a service to the Society is hardly possible. The appearance of the tract in London called out a reply which was almost immediately ascribed to the pen of Thomas Secker, Archbishop of Canterbury, a well-known advocate of an American episcopacy. Hollis wrote

October 10, 1764: "That 'Answer' some pretend, 'was the Production of Dr. Burton, Rector of St. Peter's poor cornhill, Canon of Christ church, and Treasurer of the Society, though with marks of the A[rch] B[ishop's] *able* hand throughout it.' But I am confident it was written wholly by the A. B. himself, and contains, in fact, not so much the Societies as his *own* Defence, as he could make it out." Mayhew received a copy from Israel Mauduit, and reported that "People here generally suppose, whether truly or not, that the A. B. of C–t–y had *at least* a considerable hand in this *Answer;* which I think is a very *plausible* performance. It has lately been reprinted here; and my *Remarks* thereon, published this week, I send you by this Opportunity. I send also a few Copies to particular Gentlemen, of which your kind care is humbly requested: among the rest, one to a gentleman[1] with whom I was desired not to put you into *any sort of connexion*. As this may be sent to him by you, without his knowing *thro' whose hands it came*, I hope I shall not, in this respect, be thought to have disregarded you direction aforesaid; which I would not by any means do. I also send you a few Copies of the *Observations*, undirected, to be disposed of as you may think proper. . . .

"You will perceive by the *Remarks* on the London *Answer* to the *Observations*, that I have taken your hint, and made a *free use* of what you said about a certain important affair [New England episcopacy]; tho' not a *freer* one, than I supposed agreeable to your intention, if I should have Occasion. I thought I had a very fair opening given me by the *Answerer* himself; as I believe you will also think: And I am much obliged to you for your information on that head. Probably I might not have said anything particu-

[1] Mauduit, see p. 113 *infra*.

larly on it, had it not been for your hints, and that I was extremely desirous to do what I thought might be in some degree acceptable to you. No man living knows, or shall know, from whom those hints came; or indeed, that I had received any of that sort from any Correspondent."

An answer to Mayhew, printed without name of writer, but later known to have been written by Rev. Henry Caner, appeared in the Autumn of 1763, *A Candid Examination of Dr. Mayhew's Observations*, together with a "Letter to a Friend" vindicating the Society, and prepared by "one of its members." This letter has wrongfully been ascribed to Rev. Mr. Cutler of Boston, and Samuel Johnson of Connecticut, but without authority. While Mayhew omitted to notice the "most outrageous" attacks made upon his *Observations*, he thought Caner's tract worthy of a reply, and on November 21, the day of publication, he sent out a *Defence of the Observations*, etc., with an introduction on the bitterness of the assaults made upon his pamphlet and his character by his anonymous critics. This also was reprinted in London, doubtless through the agency of Hollis. "The deserved honest commendation of this *Defence*," Hollis wrote, April 4, 1764, "I cannot give you in better words than in those of the Rev. and Excellent Dr. [Caleb] Fleming, in a letter to me, dated Feb. 3, 1764: 'I have read the tracts sent Dr. [Nathaniel] *Lardner* from Dr. *Mayhew*, and am *clearly* of opinion, that the Dr. has acquitted himself as a Master of his argument. He has even proved, that what civil establishment was given the N. E. Churches, was by no means episcopal. That petition to Charles II in 1679, is conclusive. Indeed his opponents are under those prejudices of education and interest that they are incapable of seeing evidence. I am highly pleased with the *Monthly Reviewers* upon his *Observations*, in the allusion to the Dev-

il's cannon ball in Milton. Not anything could have been more expressive.' . . . Immediately on the receipt of your *Defence* I gave it to Millar, who has caused it to be reprinted, tho' like your *Observations* under another printer's name, he being Printer in ordinary to the Episcopal propagators, and it will be published in a few days, I hope with tolerable exactness. In this second publication Millar has again behaved handsomely, in more respects than one. Here in England few tracts sell well, and have a general currency, unless of an extraordinary and taking nature indeed, that exceed a shilling in purchase, on which account conciseness, or brevity with clearness should at all times, on all subjects, be *particularly* affected and studied. Of this new edition I have the honor to send you four copies. I likewise send you three copies of a very *artful* tract, 'semblance of worth not substance,' intitled 'An Answer to Dr. Mayhew's observations on the charter and conduct of the Society for the propagation of the Gospel in foreign parts,' which tract I suppôse your bookseller, or some of your friends may have already conveyed to you. I am confident it is written either by the A[rch] B[ishop] himself, or by one of his chaplains or Dependents, with very great corrections by him. I was going to have added, that I had had the honor to be acquainted with that prelate above twenty years, and apprehended myself to be not altogether unacquainted with his stile of writing and conversing. Also, that since his elevation to the Primacy, and the observation that he left Popery unnoticed, wide spreading, intolerant, overturning Popery, and yet prosecuted with bitterest severity, *Anet*, [Peter Annet], a poor old speculative Philosopher, that he showed no hearty affection to Liberty of any sort, nor those men who loved it; that he trod with glee the mired Court paths; and juggled

for Fame with his own order, who yet would never grant it him, knowing him well to be an Irregular and Interloper amongst them from the Medical Tribe; I had declined in my visits to him: and that now, on further observation of his plan and views in regard to America, and the extreme poorness of his conduct in having fixed a Spy upon you, for ever, *himself*, in the center of your Land; and his general actions and connections everywhere; I had determined, pass me the boldness of the expression, to drop him wholly." [1] He also gave warning that he had been informed that "some very severe strictures are about to be published" on the *Observations*, intimating that the author was probably "some creature direct of the A[rch] B[ishop]'s; or some Formalist, who yearns after preferment, and seeks it hard by writing after the System and Passions of his chief; and many things may be written by a learned artful man, in such a controversy, not altogether without speciousness and plausibility."

To this Mayhew replied, June 24, 1764: "I have before had intimations of the A. B.'s concern in the aforesaid *Answer* to me. But if I had received your last a few days sooner, I much doubt whether I should have paid him a compliment for his *Christian Moderation*, towards the End of my *Remarks*. I have not, however, expressed my

[1] Hollis disliked Secker, and in 1765, when sending to Mayhew "a great rarity," Secker's sermon of February 20, 1740–41, before the Society for Propagating the Gospel in Foreign Parts he added: "It was the coloring bye-view of this sermon, that first occasioned a fixt dislike in me to Dr. Secker. He thought to figure by it, easily, in commendam, without danger of any kind. Having been corrected for it by Mr. Hubbard, he became disgusted with the Colonists. Then he hated them. Then fixed a Spye regularly upon them; for such I always deemed Apthorp. Then began a further scheme concerning American Bishops; in which, instead of hard unsplendid work at home, the watching *da Vero*, against the evil morals, conduct of his own vast Flock, and the alarming growth of Popery, etc., he thought to win *easy* glory from a distance, and, himself a *changeling*, to outshine or equal the greatest of his Predecessors."

suspicions of his being concerned in the *Answer*. . . . If the A. B. is such a Person as you represent him, (and no man's representation would have more weight with me,) I cannot think strange that a Gentleman of your truly patriotic principles *had determined to drop him wholly*, notwithstanding all his *hierarchical dignity and trappings*. I am fully satisfied you have not been wanting to your native country in your Station, especially when I consider your generous concern for the welfare of ours, and what you have done for its Service."

Nor did the matter end here. In November, Hollis saw an advertisement in the *Daily Advertiser* of the Boston edition of the *Remarks*, and on going to the bookseller — Keith, in Gracechurch Street — he learned that twenty-five copies had been put on sale by someone in London, of which eighteen copies remained unsold. "I caused those eighteen copies to be immediately bought up and scattered out of the way of the new edit[ion]. Yet usefully, lest they should interfere with it, pain Millar, and deter him for the future from concerning himself in publications of that sort, which, though undoubtedly important, excellent, have difficulties enough otherwise to struggle with to find a current sale."

Mayhew's interest in his own productions and their reception in London continued. December 18, 1764, he wrote to Hollis: "I am very glad my *Remarks* on the London *Answer* to the *Observations* are not unacceptable to you. If the greatest Error in said *Remarks* is *too much civility* to the *Answerer*, commonly supposed to be *Leviathan* himself; this will easily be overlooked by him and the party: And I hope it will not, upon the whole, hurt the cause in which I am engaged. By what you write, it is probable my last *Remarks* are published in London by this Time, tho' I have not yet heard that they are. It is likely

that something will be printed there in opposition to them. If there should be, I humbly crave the favor of you to send it to me as soon as may be after the publication. I have materials by me which I think would illustrate and strengthen what I have already written upon the subject. But I believe I shall hardly write again, except I am put upon it by something farther being written on the other side.

"I perceive by the last *Abstract*, etc., that the *Society*, to whose *Judgment and Decision* Mr. Apthorp *humbly submitted* the Merits of this cause, have fully decided it against me; declaring that I have been *sufficiently answered both at home and abroad.* I also perceive that the *Critical Review* for July last gives the cause against me in favor of the *Answerer;* and shews much dislike both of my *Defence* against the *Candid Examination*, and Mr. F[lemin]g's *Letter* to the Author of the London *Answer*. All have a right to give their opinion. There are doubtless some very sensible persons amongst the *Critical Reviewers*. But their character with many here is that of a set of high-flying J[aco]-b[i]te, mercenary writers: If it be a just one, I have the less reason to be anxious about their approbation, or disapprobation.[1] I have seen what the *Monthly Reviewers* have said, both of the *Observations*, and of the London *Answer* thereto. But I have not yet met with any *Review* of theirs, which mentions my *Defence* against the *Candid Examination*, or Mr. F[lemi]ng's *Letter*. If they have taken Notice of these Pieces, I should take it as a favor if you would send me the *Review* in which they do it. . . . If I should

[1] "The *Monthly Reviewers* have able worthy People among them; and for Traders in the way of Literature afford as much as possible to Liberty. The *Critical Reviewers* are almost, if not all, Scottishmen, without Ignorance or Knowledge; and by interest and inclination are not whigs, perhaps. . . ." *Hollis to Mayhew*, June 24, 1765. MS.

write again in this controversy, I shall pay a particular Attention to your hints as to the manner of doing it, and be as concise as possibly I can, consistently with the Ends of my writing. I shall strictly observe what you say with reference to not putting you into *any kind* of connection with a certain person [Mauduit]; one whom I have myself some grounds to suspect as a *double-minded* man — in a strait between *honesty* and the *wicked policy* of the times."

Naturally the controversy came to an end, not without a note of triumph from Hollis, dated March 4, 1765: "All agree that the Answer, so called, to your tract was written by the A. B.; but I am of an opinion that you will never get another, a direct one, from him or any other Church Leader, now that you have touched on Popery; no ass in sand cart, skin-cut and goaded, being more tender than the A. B. and his Brethren when touched on that Subject.

"The Return of Mr. Apthorp,[1] that Spye upon your Land, must have been a thorough mortification to the A. B., who begat and sent him out such; and the Fathers of New England should crown with oak leaves the Man who by his sole judgment and energy, hath *forced* it. I am assured that at the motion of the A. B. it is entered in the Books of the Episcopal Propagators, *that no more Missionaries shall be sent to New England;* which information will turn out to be in fact, I suppose, that no more Missions shall be established there. What the A. B. hath done, or rather left undone, is inconsiderable, and to save appear-

[1] "Mr. *Apthorp*, the Cambridge Missionary, is lately and suddenly gone for England: and it is commonly supposed that he will not return to live in this country. I understand that the church at Cambridge was shut up last Lord's day; and that all the Episcopalians there in general attended the Congregational worship." *Mayhew to Hollis*, October 17, 1764. MS.

ances only. But if he is *truly* honest, he will take away the greater number of the Missions throughout that Country. . . . I do not hear that you are likely to see answer of any kind to your last master-tract, unless a Stigma or so in the lurking minutes of the Society." In this Hollis was in error. For in April, 1765, John Rivington published a *Review of Dr. Mayhew's Remarks*, etc., by East Apthorp, a performance that brought no increase of reputation to the author, who soon after became vicar of Croydon. Of this *Review* Hollis wrote: "It is pleasant to observe how Patron [Secker] and Client incense, *whitewash* to each other. But Apthorp tops his Patron in so much as he has not sculked, anonimously to his abuse against an open *known* Adversary; but has fairly put his name to it: a circumstance, it may be, for you to advert upon." Mayhew, seeing nothing new or material in Apthorp's pamphlet, and realizing the greater importance of the questions raised by the stamp act, wisely let the matter drop.

Two pamphlets in the controversy were called out in New England, but neither of much weight. Arthur Browne, of the church of England, published at Portsmouth New Hampshire *Remarks on Dr. Mayhew's incidental Reflections relative to the Church of England, as contained in his observations*, etc. 1763, and "a gentleman of Rhode Island" perpetrated *Verses on Dr. Mayhew's Book of Observations*, etc., printed at Providence, Rhode Island, by William Goddard. The copy in the John Carter Brown Library has on the title page the manuscript addition "one Applin a lawyer: alias Lyar," and the authorship is assigned to John Aplin, although Sabin attributed it to the printer, Goddard.

CHARLES CHAUNCY TO JASPER MAUDUIT

Boston, May 4th, 1763.

Sir, — Yours, via New York, both the original and copy, came safely and seasonably to hand. I was afraid I should be tho't too forward or officious in giving you the information you refer to; but I judged it proper you should have it, and am glad to find it was received in the same kind and friendly manner in which I wrote it. Should it be in my power to serve you, whether in your private character, or public one as Agent for the Province, I shall with pleasure use my best endeavours to do so; and you have many good friends who will heartily join with me herein. Our first man had his heart much set upon having Mr. Jackson chosen our Agent; and as he is vested with great power, having most of the posts of honor and profit at his own disposal, tis no wonder there should be a party here more in that Gentleman's interest than yours. But, as a ballance hereto, it will doubtless be a satisfaction to you to be assured, that the Province in general, and the best men in it, are perfectly pleased with having the management of their affairs at home in the hands of one, who, they believe, has at heart their interest, religious as well as civil, and will exert his own, and procure the influence of others who wish us well, to promote it. Your getting the money our late agent was not able to do, and tho't it vain to attempt, was of service to yourself, as well as to the Province. It gave the whole General Court, as well as others, a strong and sensible conviction of your influence as much superior to his who went before you. I doubt not you will, as there are opportunities for it, go on giving such proofs of your disposition and ability to serve the Province as to remove the prejudices of those who may not be well affected to

you, and to make way for the accomplishment of all that you can desire respecting your brother. It gave me pleasure to find, that so good a judge entertained a favorable opinion of my sermon, and tho't it worthy of being employed to serve the cause it was intended to promote. Tis strange to us here, that the Arch-Bishop, or Society of which he is president, should be in a disposition to oppose our incorporating act. We have no interest of our own in view. We have no intention to oppose the Church of England, or do anything that may tend in the least to disserve it. Our sole aim is, to be under advantage to carry the Gospel of the blessed God to the Indian Natives on our western borders. And such a design, one would think, should be agreable to all who wish well to the name of Christ, and would be glad to see his kingdom settled in these dark corners of the earth. We are not so disaffected to the Church of England but that we should rejoice to see Missionaries sent from the society of which the Arch-B'p is *praeses* to promote the knowledge of Christ among the Indian tribes. The harvest is great. There is full room for Missionaries from them, as well as from us; and should they send them, we should not only wish them God-speed, but do all in our power that their mission might turn out to good effect. How the Arch-B'p came by the story you tell of I can't say; but you may relate it as fact, that one of his Majesties Council here, a professed church-man, and one that has from a child been so, is not only a subscriber to our Fund, but one whose name is inserted in the incorporating act among the first constituent members of our new society.[1] We have refused the subscriptions of none of what ever denomination. We can assure you, and would profess to the whole world, that we have no party-design to carry

[1] Andrew Oliver.

on. We set out upon the most catholic principles, and have among our subscribers and first members Gentlemen of most of the differing sentiments in religion that are among us.

You intimate as tho', in consequence of the opposition you are like to meet with, you tho't it best not to push an immediate confirmation of the act, but to let it lie by to receive its confirmation of course. For my self, I am clearly of the mind, tis best to press the matter now, be the event what it will. None of the money subscribed to our fund is payable till the act has received the Royal sanction; and if we must wait for this three years, we shall lose the benefit of the income of the subscribed money the whole of that time. And further, which is of more importance, the Spirit which has happily been excited in so many to promote the cause of Christ among the Indians will probably subside, and we shall lose the special opportunity we now have of collecting yet large sums in addition to what we have already got. If the confirmation of the act is delayed, I shall look upon it as nearly equal to its being negatived; and all the pains we have taken to collect monies, and raise a fund to serve the most valuable end, that of spreading the name and knowledge of Christ among numerous tribes of Indians, will come to nothing; and so will the hopeful beginnings we have made in carrying the Gospel into the dark corners of this land. Tis not likely, if we fail in our present attempt, in which we have exerted ourselves beyond all that could be expected, that we shall ever make another. How they who set themselves to oppose so generous, so pious and christian a design will be able to give a good account of their conduct in the day of the appearing of Jesus Christ, is beyond me to say.

Mr. Secretary Oliver sometime ago gave me the reading

of several of your letters, both public and private, in which were contained the information you give relative to our incorporating act. I should have wrote particularly upon these matters, but that the Committee of the associated Pastors of this town, of which I am Chairman, have wrote upon the same points to the sub-committee of the Committee of Deputies of which you are one. And as the New society will have a meeting to-morrow, they will doubtless be particular in satisfying the London Society, that they had no intention to counter-act, or reflect the least dishonor on them. But I will not take up any more of your valuable time. I heartily wish you prosperity in all your affairs, especially in your endeavours to serve this Province, and cause of Christ among the Indians; and am, with great respect, Your obedient humble Servant,

CHARLES CHAUNCY.

[Endorsed,] Jasper Mauduit, Esq. In Lime-street, London. Per Capt. Hunter.
[Memorandum,] Rev'd Cha. Chauncey. May 4, 1763. Recd. June 16.

## CHARLES CHAUNCY TO JASPER MAUDUIT

BOSTON, May 6th, 1763.

SIR, — In my letter of May 4th, I told you, that our new Society here would meet the next day, when they would write home with reference to their act of incorporation. As the vessel by which that letter goes is detained by contrary winds, I have the opportunity of acquainting you, that they accordingly met at the time appointed; but, as I am informed, (for I was not able to be at the meeting myself by reason of bodily infirmity) they were of opinion, it would be less exceptionable, and might answer the end as well, if, instead of a public letter from them, one or another

of their body should write on their behalf in their more private character. This information I tho't it necessary to give you, that you might not expect to hear from the society in their capacity as such. I am, with all due respect, Your obedient humble Servant,[1]

CHARLES CHAUNCY.

### ANDREW ELIOT TO JASPER MAUDUIT

BOSTON, N. E., June 1, 1763.

SIR, — According to the Direction of the Overseers of Harvard College I transmit to you the enclosed Vote of Thanks.

I am glad the Performances of the College have met with so favorable a Reception. I hope it will stimulate our Youth to excel in valuable Learning.

The Readiness with which you have espoused the Interests of the College and your Generosity to it are an Addition to the many Obligations you have laid us under. I take the Liberty to entreat the Continuance of your kind Offices to this rising Seminary.

We find by your Letter to Mr. Bowdoin that the Act incorporating a Number of Persons into a Society for propagating the Gospel among the Indians is not like to have the Royal Approbation. We have a grateful Sense of your Care in managing that Affair, but it gives us the greatest Concern that the Act has met with such Opposition. It is strange that Gentlemen who profess Christianity will not send the Gospel to the Heathen themselves nor permit it to be sent by others. We hope the Design will not fail. The Commissioners from London and Scotland are hearty in the Cause and we doubt not will receive considerable Assistance from well-disposed Persons among ourselves.

[1] An account of a meeting of the colony agents in London, May 19, 1763, is in *Penn. Col. Rec.*, IX. 47.

It gives peculiar Satisfaction to those who wish well to our Churches that we have an Agent who has a natural Care for them, and by whom we can so easily apply to the Body of our dissenting Brethren in England. I trust, Sir, your Services to this People will always meet with a grateful Acceptance.

The Committee of the associated Pastors in Boston lately sent a Letter to the Committee of Deputies in London to sollicit their Assistance in the Affair of the Charter. I suppose any application will now be too late. But you will see by that Letter some of the Reasons for our desiring to be incorporated into a distinct Society. We hope the Deputation will allow us to apply to them as Occasions present. Such a Correspondence we apprehend quite necessary for us, who find by the Fate of our Charter, that our Enemies are more and greater than we were aware of. We shall endeavor to give you as little Trouble as possible. You will excuse the Freedom with which I write and believe me to be, with the greatest Respect, Your obedient humble Servant, ANDREW ELIOT.

### PETITION OF SAMUEL HARNDEN

Province of the
Massachusetts Bay.

To his Excellency Francis Bernard, Esqr., his Majesty's Captain General and Governor in chief in and over the Province aforesaid and vice Admiral of the same; The Hon'ble his Majestys Council, and the house of Representatives of the said Province in General Court assembled at Boston, May 25, 1763. The humble petition of Samuel Harnden of Woolwich in the County of Lincoln Gentleman Shews:

That in the year 1758 your pet'rs Son in Law Ebenezer Preble and Mary his wife (Inhabitants at the Eastern parts of this Province) were both killed by a Number of Indians, and their family of Six Children, the Eldest then eleven years old, were at the same time taken Captives, the youngest whereof being a boy of about three Months old, they killed. The other five Children they carried away with them into Canada, and in the year 1759 two of the said Children were providentially recovered and brought back to their home.[1]

That after the Reduction of Canada in the year 1761, your Excellency and the then General Assembly sitting, and taking into Consideration your pet'rs address, praying that he himself in person might proceed to Canada to recover the other three remaining Captive Children (having certain knowledge of them from their Birth) were pleased of their paternal goodness and compassion to enable your pet'r to proceed to that Country, and there enquire for and seek out the said three Captive Children, which Service your pet'r cheerfully undertook, and with great dificulty, trouble and expence he happily recovered two more of said Captive Children, and brought them to their Native Land. But so it is may it please your Excellency and this Hon'ble Court, that Mehitabel Preble a girl about thirteen years of age (one of the aforesaid Five Captive Children), before your pet'rs arrival in Canada, was sent from thence to Rochelle in old France to wait on a French Lady in her passage thither, And as your pet'r is well informed the said Mehettable now is in Servitude with and Claimed as a purchased Captive by one Mouns'r

[1] Rebecca, Samuel, Mehitabel, Ebenezer, Mary and William are named as taken at Georgetown, June 9, 1758. *N. E. Hist. Gen. Register*, XIV. 273. See Preble, *Genealogical Sketch*, 16.

T: M: Mounier, Merchant and a resident of that City. That during the Continuance of the War, your pet'r could hope for no means of relief, from your Excellency and the General Court in the recovering of the Captive Mehettable, and as the blessings of peace are restored, and the said Mehettable still remains, in a Foreign Land (at Rochelle as aforementioned) under age, Subject to the principals and practice of a Religion foreign from that of the Land she is a native of, and of her predecessors, and your pet'r being the only Surviving, eldest natural parent of the absent Captive Girl — In humble duty he presents this matter of Captivity, and detention to your Excellency and this Hon'ble Courts consideration for her Recovery. And your pet'r thereupon prays your Excellency and this Hon'ble Court to take the same into your Compassionate consideration, and to make such order, or to grant such aid and assistance in the premisses for the recovering and returning of the said Mehettable to her native Land; as in your justice wisdom and compassion Shall seem met.

And your pet'r as in duty bound Shall ever pray, etc.

SAMUEL HARNDEN.

The foregoing petition having been referred to a Committee of the two Houses they made report according to orders, and thereupon the following vote passed vizt.

In Council, June 8, 1763. Read and accepted and ordered that the Secretary transmit to the agent a Copy of the petition of Mr. Samuel Harnden for his information in the matter therein referred to, or any other information which the petitioner may furnish him with. And that he acquaint the agent that it is the desire of this Court that he use his best endeavours to obtain the discharge of the Child therein mentioned. Sent down for Concurrence.

A. OLIVER, *Secy.*

In the house of Representatives, June 8 1763. Read and Concurred.

TIMO. RUGGLES, *Spkr.*

Consented to,

FRA. BERNARD

Copy examined, A. OLIVER, *Secy.*

### THOMAS CUSHING TO JASPER MAUDUIT

BOSTON, June 30, 1763.

SIR, — I have received your much esteem'd Favors of the 6th Jan'y and 12 March last. Am much oblidged to your Brother for the news relative to Publick and Parliamentary Affairs. Such intelligence will always be acceptable. I wish it were in my power to make some suitable return. I wrote you fully in November last with respect to the joining your Brother with you in the Agency, by Capt. Churchwood and Capt. Callo, both of whom, I since hear, are taken and consequently my letter never reach'd you. I therein assured you I should use my Endeavors that your request shoud be granted and at the same time mentioned the objections, which I apprehended, woud be made to such a junction. I find by your letters to the Court this spring you have been fully apprized of every step that was taken by the Court relative to this affair at their sessions in the winter past. I think you have fully answer'd the Objection as to any additional expence that might accrue from a compliance with your request. Had there been time, it's probable something might have been done this spring, but the Session was short and so crouded with Business, that your Friends apprehended there would not be opportunity to remove any difficulties that might remain upon the minds of some of the Court respecting

this matter and thought it not prudent to move it at present, especially as they learnt from some letters from your Brother that he was desirous his name might not be thrown into controversy or be the occasion of any contention. The truth of the case is this. His Exc-ll-ncy the Gov-n-r, when Mr. Bollan was dismissed, was very desirous of Mr. Jackson's being chosen to supply his place, but the Court woud not hear of it. He then urg'd that Mr. Jackson might be join'd with you in the Agency, but was told that two Agents were unnecessary and woud encrease the Expence. This was a great disappointment to him (Mr. Jackson being his intimate and particular Friend). However the Court to gratify his Exc-ll-ncy empower'd Mr. Jackson in case of your Absence or Death to receive the Parliamentary Grants for the years 1760, 1761 and 1762, and at the same time instructed you to apply to him for advise in all Law matters; I something doubt whether this measure fully satisfied him, and when your proposal came to hand for the joining of your worthy Brother in the Agency, it might naturally be expected, that the G-v-n-r woud discountenance it and with his Friends woud use the same arguments against it as was urged in the like case against Mr. Jackson. However I am in hopes a little time will wear off those Impressions that were made upon the G-v-rn-r by the disappointment aforesaid, and that upon a thorough consideration of this matter he will concur in a compliance with a Proposal so much for the Interest of the Province. Another reason why it woud not have been expedient to have moved this affair at present is, that we have a new House and some Members are returned this year, who were not of the House the last year, that were intimately acquainted with Mr. Bollan, and we must give them some little time to let

their resentments at Mr. Bollan's dismission subside. I hope by the next Session the way will be clear for the accomplishment of this matter. In the meantime, Sir, I hope, and it is the desire of all your Friends, that you will continue your good services for the Province and that your worthy Brother won't be discouraged from still affording you his kind assistance, which the Court have acknowledged with thankfulness in their last Letter.

I understand you are concerned considerably in the wooling trade. If I shoud be in want of a number of Cloths and Woolins, shoud be glad to know upon what terms you woud supply me. A few years past I used constantly to import them, but the English trade has been so overdone and the Country so overstock'd with goods that there's been no Encouragement to import any lately. If the trade shoul!d revive and there shoud be any Prospect of a sale, I shoud be concerned that way again. I am with great Respect Your most obedient humble Servant,

THOMAS CUSHING.

[Memorandum,] Thos. Cushing, June 30, 1763, recd. August 20th.

## HARRISON GRAY TO JASPER MAUDUIT

BOSTON, August 2d, 1763.

SIR, — By Virtue of an Act of the great and General Court, made and passed at their last Session: I am impowered and directed to draw upon you as their Agent for the sum of £35,000.[1] The Secretary of the Province by this Conveyance will send you the Act. I have already drawn on you in favour of several Gentlemen, Agreable to the Schedul inclosed amounting to £[*blank*].

[1] The act is in *Province Laws*, IV. 662. An account of the bills drawn and interest thereon is in Mass. Arch., CIV. 245. The total was £35,222.12.8.

I am in hopes the Parliamentary Grant to the Colonies as a Compensation for their services for 1761 is by this Time apportioned, that so you may be enabled to discharge my draughts with Honour.[1] I am with great respect, Your most Obedient Humble Servant,

[*Unsigned.*]

[Memorandum,] H. Gray, 2d August, 1763, recd Sept. 6.

### HARRISON GRAY TO JASPER MAUDUIT

Boston, August 23d, 1763.

Sir, — On the Other side you have Copy of my last by Jarvis,[2] also Copy of what bills I had then drawn on you, since which I have further drawn on you to the Amount of Eight thousand four hundred and fifty-four pounds according to the Account inclosed. My Compliments to your Brother, And believe me to be, Your most obedient humble Servant, H. Gray.

### HARRISON GRAY TO JASPER MAUDUIT

Boston, September 23d, 1763.

Sir, — The above is Copy of my last by Jacobson.[3] Inclosed you have a schedul of what bills I have since then drawn upon you, Amounting to the Sum of £1,742.

[1] The money was not received until November 25, 1763 — £42,774.16.0 — two-thirds in cash and one-third in Exchequer bills. In September the payment had been held up. For though there was money in the Treasury, "yet the exportation of our coin was so great upon the universal bankruptcies abroad, that the Bank had desired, and they had determined to draw as little money out of it as possible. Soon after a new scene arose, which you will learn from the newspapers. The dissentions among the great is a subject to be lamented, but not to be particularized. In that general state of suspense you will not wonder to hear that the Treasury is adjourned and no business done." Mass. Arch., XXII. 309, 318. [2] The letter of August 2, 1763. [3] Letter of August 23, 1763.

being the needful from, Sir, Your sincere Friend and humble Servant, H. Gray.

Sir, — Mr. Edmund Quincy the Bearer hereof is a Gentleman of good sence and of a fair Character, and a Member of Doctor Mayhew's Church. I sincerely recommend him to your and your Brother's Acquaintance. Any notice either of you shall take of him will be gratefully acknowledged by him, who has the honour to be Your most Obedient Servant, H. Gray.

[Endorsed,] Jasper Mauduit of London, Agent for the Province of the Massachusetts Bay in New England, by favor of Mr. Quincy.
[Memorandum,] H. Gray, Sep'r. 23, 1763, rec'd Nov'r 15.[1]

## THOMAS CUSHING TO JASPER MAUDUIT

Boston, September 12, 1763.

Sir, — Since my last I have had some conversation with Mr. Goldthwait, a member of the court and one who is nearly connected with the Governor; In the course of the

[1] "The Governor has shown me your letter regarding the agency. From what I had heard of Mr. Mauduit for several years past I had formed the same opinion with you, that he was a very honest man, but had no other qualifications for an agent. When Mr. Bollan resigned eight or ten years ago, and Mr. John Sharpe was chosen in his stead, I was then much pressed by great part of the Court to have gone home; but my domestick concerns rendered it then impracticable, and altho' the same thing has been proposed to me several times since, and sometimes with a general voice, and when it would not have been disagreeable, yet Mr. B. being in the place and my friend, and the publick better served than it would have been by me, I never gave the least countenance to the proposals but discouraged every step that might forward them. For two or three years I have been the butt of a faction, and although they have missed their aim and have not hurt me in the esteem of the best people in the Province, yet I question whether the present assembly would give their vote in my favor, especially as I am not sufficiently satisfied myself of the expediency of it to make any interest for it. I am turned of fifty and so in the decline of life, and could not so well bear the ungrateful returns which our American Assemblys generally made to those who endeavor to serve them as I could do ten or fifteen years ago. I am sure the Court cannot do themselves so much honor or the country so much real service in any other way as by complimenting you with the agency, seeing you do not wholly refuse it." *Thomas Hutchinson to Richard Jackson*, August 3, 1763. Mass. Arch., xxvi. 64.

conversation, he observed, that it appeared by your Letters, that by reason of Indisposition you were unable constantly to attend at the severall Boards upon the Province Business and were therefore desirous of having your Brother joined with you in the Agency. He further said, it was highly probable to him that immediately upon your Brother's being appointed, you would resign, which if the Court coud be assured of, he did not doubt but the desired appointment woud be made, but observed that it woud be necessary at the same time, as Mr. Jackson had been already taken some notice of by the Court, to appoint him standing Council, a measure which coud not be well come into, if you and your Brother both stood, as it woud be look'd upon by the Court as in Effect choosing three Agents, which he apprehended the Court woud by no means consent to. He said further, that to appoint your Brother Agent and at the same time take no notice of Mr. Jackson, woud give occasion of offence to Mr. Jackson and perhaps render him inimical to the Province. I told him that Mr. Jackson's being Standing Agent for the Colony of Connecticutt woud be an insuperable objection to his appointment. He replied, that if that was a sufficient objection to Mr. Jackson's appointment, the same woud hold good against Mr. Israel Mauduit's appointment, as he was Crown Agent for the Province of Nova Scotia, a fact I was not before apprized of and of the truth of which I should be glad to be informed: If it is so, pray inform me what his Business is as crown's Agent for that Province and whether it will be incompatable with his being Agent for this Province.

I hope you'll excuse me for troubling you with the substance of this conversation, the design of which, I apprehend, was to induce Mr. Mauduit's Friends to recom-

mend his resignation in case of his Brother's appointment, which I am satisfied woud be no ways agreable to the Court. They were much oblidged to you for accepting the trust, they have experienced the benefit of your Agency and have in their Letters fully expressed their Approbation of your Conduct, and if a Gentleman of your good sense, interest, and influence shoud resign, I shoud esteem it a great loss to the Province and such as they coud not at this Juncture of Affairs well bare. I hope therefore if you have had any such thoughts you'd lay them aside; be sure don't give the least intimation of such a thing in any of your Publick Letters; Those that propose it, in order as they pretend, to your Brother's Appointment, have something else in view. They design, as I have good reason to think, to have Mr. Jackson really the Agent. The better to cover this design, they are willing to join your Brother with him, but Mr. Jackson to all intents and purposes will be Agent. He will be considered as the first Mover and the Principal Actor in all the Government affairs and will have all the credit of every successfull measure, and your Brother will be considered only as his second and will stand just in the same relation to him as he woud to you, if he shoud be appointed Agent with you; It woud be no ways agreable to the Government to have this affair take this turn, as it woud perhaps throw them into much the same disagreable circumstances, they were in, during a former Administration, when they had an Agent strongly connected with the Governor and wholly devoted to his will and pleasure, a scituation not to be desird by any Government, which has any regard for the preservation of its rights and priviledges, as it woud give too great a weight to the Chair. I have given you these few hints and write in confidence as to a Friend and depend that no use will

be made of what I have wrote to my prejudice. I am with Respect Your most humble Servant,

THOMAS CUSHING.

P. S. I can't learn Mr. Otis has of late received any of your favors. He suspects his Letters have been intercepted.

### THOMAS CUSHING TO JASPER MAUDUIT

*Duplicate.* BOSTON, October 28th, 1763.

SIR, — My last was of the 12th September since which have not received any of your Favors. Agreable to your Request that I wou'd at all times give you my sentiments upon all affairs relative to the Province, in which you were like to be concern'd, I now take the Liberty to write you upon a subject that very nearly affects the trade of this Province. It's relative to an Act of Parliament passed the last session Intituled an Act for the further improvement of his majesty's Revenue of Customs, etc., a Coppy of which (as printed in our papers) you have inclosed; in pursuance of which Act a Number of men of warr have been Stationed upon these Coasts, the Captains of which, as also the severall Governors upon the Continent, as we are inform'd, have strict orders rigorously to execute the Act of Parliament pass'd in the year 1733, laying a Duty upon all foreign Mollasses Rum and Sugar;[1] this has much

[1] "The molasses act as it now stands, was undoubtedly intended to have the force of prohibition. To reduce the duty to a penny a gallon I find would be generally agreeable to the people here and the merchant would readily pay it. But do they see the consequence? Will not this be introductory to taxes, duties and excises upon other articles, and would they consist with the so much esteemed privilege of English subjects — the being taxed by their own representatives? A total prohibition, taking effect, would give a great shock to the trade of the colonies and I am surprised everybody in England does not see that it would greatly advance the price of sugars and molasses spirits there, and all to raise the fortunes of a few West India planters." *Thomas Hutchinson to Richard Jackson*, August, 1763. Mass. Arch., XXVI. 65.

Alarm'd us as it is Sudden and unexpected. It has given occasion to Mr. Bollan's Friends, who are always seeking occasion, to find fault and say if Mr. Bollan had been Agent this wou'd not have been, at least, they say, he wou'd Strenuously have opposed any such Act and the putting of it to any such use, and be sure woud have given the earliest Advice of it. They say the more upon this head, as Mr. Bollan has wrote the Lieut. Governor upon this affair from whom, they say, the intelligence was not so naturally to have been expected. The Rigourous execution of this Act laying a duty on molasses, etc., will be extreamly prejudicial if not altogether destructive to the trade of this and the neighbouring Governments, it demands therefore our greatest Attention and I doubt not the General Court at the next sessions will fully Instruct you upon this Head. In the mean time, it is presumed, that you (together with the other Agents of the Nothern Colonies) will exert yourself upon this occasion and when the Parliament meet endeavour to gett this Act repealed or in some way or other obtain reliefs for us under this insupportable Burden. It is not in my power to do Justice to this Subject, but if it was, it is too copious and extensive to be confin'd to the narrow Limitts of a Letter. The importance of it, the wealth, power and art of our adversaries, the west Indians, the strong inclination of the ministry to raise a Revenue out of this duty and the interest which the Province has at stake, call loudly for the greatest Care and Attention. You'll excuse me therefore if I trouble you with the mention of a few particulars; I submitt to your better Judgment whether it won't be expedient to take some steps relative to this affair previous to the meeting of the parliament: may it not be proper to have some persons on your side of the water (belonging to

some of these Nothern Colonies) who are well acquainted with our trade to the English, French and Dutch west indies in particular and with our Trade in generall, enquired of, so far as relates to this matter; Some Persons no doubt may be mett with (Capt. Sam'l Cary of Charlestown,[1] who is now bound for London, will be a good and a very intelligent witness upon this occasion) who can fully prove that the price of Rum sugar and molasses in the English Islands at this time far exceeds the price formerly; that notwithstanding our trade with the foreign Colonies, the price of Fish and Lumber of all kinds, has of late been much Lower in the English Islands than formerly; and that the vessells from the Nothern Colonies are oblidged to wait a long time for molasses. These facts being established will clearly demonstrate that the Rigorous Execution of this Act is not needed in order to encourage the English west india Islands and at the same time will prove the Insufficiency of these Islands fully to supply the Nothern Colonies with the Rum Sugar and Molasses necessary for their Consumption, and that they can't take off those commodities the Nothern Colonies have to spare. Persons doubtless may be found who cou'd assertain what Quantities of Foreign molasses are annually imported into these Colonies over and above the molasses they receive from the English Islands; who cou'd clearly point out the great usefullness of this Trade (to the Foreign Colonies) to the Fisherys particularly could inform what quantities of Jamaica and Refuse Fish are annually made in this and the Neighbouring Colonies, what Quantities of these articles are annually taken off by this Foreign Trade, what numbers of Vessells *are* employed in the Cod Fishery and in the Whale Fishery and what their Consumption of Rum

[1] Samuel Carey (1713–1769), or his son Samuel (1742–1812).

and Molasses, what Quantities of mackrell alewives and other small fish are annually caught and exported to the Foreign Colonies, what quantities of Rum and molasses are exported from these nothern Colonies to Newfoundland for the supply of the Fishery, and the Quantity of Jamaica and Refuse Fish taken in Exchange for them. The resolution of these questions woud show the Importance of the Fishery, and how much the Support of it depends upon this trade to the Foreign Colonies: the Fish we catch is divided into three sorts vizt. merchantable, Jamaica and refuse; a very large proportion of it consists of Jamaica and refuse Fish, for which there is no vent at the marketts in Europe, and our English Islands are not able to take it off. In short such Quantities of this sort of Fish are some years made, that the whole vent in the English and Foreign Colonies, that can be obtain'd, is not sufficient to consume the whole, but sometimes considerable Quantities perrish, so that in case this trade to the Foreign Colonies shou'd be prevented, as it affectually wou'd be if this high duty shou'd be rigorously exacted, the Fishery must be ruin'd, and as this togather with the Rum trade is the Support of all the rest, the whole of our trade must be distroy'd. Instead of Trading we must go to improving our Lands, raising our own Flax and wool, wearing Cloaths of our own manufacturing. For as for English goods we can send for none, as we shan't be able to make Remittances to pay for them: it will certainly reduce us to the necessity of Trading very little, living very poor, and wearing only such things as we can raise and manufacture among ourselves. This, tho' at first, very grevious and irksome, it's apprehended by some, will prove a wholesome Severity, a means of our becoming in a course of years a frugall industrious, opulent and independent people; how it may be I can't

say, but this I am well satisfied of, that it will soon appear to be detrimentall to the trade of Great Brittain and a severe check upon her manufactures; this will be evident to every one that considers that the Inhabitants of this Province by their trade and Fishery are some of the greatest Consumers of the Natural produce of Great Brittain. In short all the mony we gett, all the Oyl we catch, all the Ships we build, all the Freights we make, the neet proceeds, of all our Cod Fish at the marketts of Spain and Portugall; of most of the Rum at Newfoundland and Guinea, and all the Proffitts from every Branch of Bussiness, center in Great Brittain and the whole is not sufficient to pay for the goods we want. Lett it be further considered that if the Fishery here and at Newfoundland shou'd fail, Great Brittain will be deprived of an nursery for Seamen and in a few years will want hands to navagate her fleets, at the same time the French will have a fine oppertunity to Increase there Fishery, to promote the growth of their Colonies and put their Navy upon a respectable Footing. Before I conclude I woud enquire what good purpose the rigorous execution of this Act can answer? It must be done with a veiw, either to encourage and promote the growth of the English Islands, or to Raise a Revenue to the Crown to be appropriated as hereafter may be determined; as to the first motive, it's evident the English Islands don't in the least need any such Support and Encouragement, as they have vastly the advantage of these Colonies in their Trade already. In short it will enable them to gain a monopoly of what they cannot supply, and make them the Sole purchasers of what they cannot take off; as to the last, I mean a Revenue, it may easily be proved to be an object not worthy the attention of the ministry when putt in competition with the trade

of North America, a trade of vast Importance to Great Brittain, as the growth of her manufactures and the Increase of her Navigation depend greatly upon it. The Generall Court when they meet, will doubtless have the Facts before mention'd assertain'd as near as can be. In the mean time to gett as many of them as you can proved on your side the water may not be amiss, especially as all evidence taken *viva voce* is Generally more satisfactory than otherways. Upon the whole I apprehend the best way of settling this dispute woud be for the Parliament to Lower the duty to half-penny per Gallon. A penny might do, but that's the utmost the trade wou'd bare. This I write as a private person. It's a difficult affair for you to conduct at present, as the Generall Court have heretofore instructed Mr. Bollan to oppose any duty at all, as of Dangerous precedent. What their mind will be now, I can't say, but I suppose you won't incline to be very active in it (or at least openly appear so) till you have received their Instructions upon this head. I'm inclined to think they woud be willing the affair shoud take this Turn, provided it's done without their explicit Agreement. I am with great Respect Your most Humble Servant,

THOMAS CUSHING.

### THOMAS CUSHING TO JASPER MAUDUIT

*Duplicate.* BOSTON, November 10, 1763.

SIR, — Inclosed you have Copy of my last: I have lately mett with a State of the Controversy betwixt the Sugar Colonies and the Nothern Colonies, drawn up some years ago (I believe) by Mr. Bollan.[1] As it will throw light upon

[1] Probably a manuscript statement, as no known pamphlet by Bollan answers to the description.

this subject, I thought a copy of it wou'd be acceptable, which you have inclosed; It was taken in great haste, the ship being just upon sailing, by two different hands at the same time, this is my excuse for its being so incorrect and illegible. For further information relative to this important matter I beg leave to refer you to Mr. Postlethwait's *Dictionary of Trade and Commerce*, Vol: I. p: 870, where the Arguments on both sides the Question are fully stated: In my last I referr'd you to Mr. Sam'l Cary for intelligence upon this subject, but I am since informed he is strongly connected with the West India Interest [1] and his Evidence must be taken (if at all) with great Caution. I understand Mr. Baron's who was lately Collector for this Port,[2] is well acquainted with the nature of our Trade and may be of service if consulted and advised with. I am with Respect, Your most humble Servant,

THOMAS CUSHING.

### THOMAS CUSHING TO JASPER MAUDUIT

BOSTON, November 11, 1763.

SIR, — The Captain of the Man of War stationed here has lately seiz'd a Brig't from France, which touch'd at this Place in her way, as the owners say, to St. Eustatia. Whether she will be condemned is a Question not yet determin'd. I give you this piece of intelligence, as its probable this single Instance will be improved, by the West india Interest in the course of your dispute with them, as an Evidence of our Trading directly with the foreign Governments in Europe contrary to Act of Parliament, but I hope our Character as a trading People won't be settled by one or two instances of this kind; It's well

[1] The younger Carey was in 1791 concerned in the Granada trade.

[2] He had been suspended from office in 1761. See *Barrington-Bernord Correspondence*, 30.

known our Merchants in general dislike the Trade to Holland and France as hurtfull to our Mother Country and like good subjects have always discountenanced it. A number of them went so far some years ago as publickly to advertise they woud inform against all Persons carrying on such trade to Holland; But at the same time they judge this Trade to be pernicious, they are fully convinced that the Trade of these Nothern Colonies to the foreign Colonies is very beneficial and of vast advantage in its consequences to the Trade of Great Britain, and think, instead of being obstructed, it ought to be encouraged. They have been desirous of the General Court's meeting immediately in order to take some measures to prevent the rigorous exaction of the Duty upon Molasses. However, it seems the Court is further prorogued by the Governor to the 21st of December next, till which time you can't expect any Instructions from them upon this matter. The reasons given for this prorogation are various according [to] the different Apprehensions of people; It is said by some that there is no other affair that calls for the Court's meeting at this time, That the G-v-n-r has wrote home fully upon this affair, which renders the Court's meeting barely upon this occasion needless. It is supposed by others, that, if, at the next Session of Parliament, the Duty shoud be lower'd, or the Act shoud not be revived, or if revived, the Duty shoud not be rigorously exacted, that the G-v-n-r, by Virtue of his Letter, woud expect the whole Merit of such a favourable occurrance; but in this expectation, its apprehended by others, he will be disappointed, as they are confident that the several Agents for these Nothern Colonies (altho' they shoud be without instructions from their Constituents) will by their Vigilence and Activity respecting this matter, have a considerable Influence in

any favourable Resolutions that may be made by the Parliament upon this subject and doubt not we shall be particularly informed of the measures they may from time to time take to give this affair a favourable Issue. Before I conclude I beg leave to observe that it will be impossible for the Ministry to gain a revenue out of the Duty as it now stands, it amounts to an absolute Prohibition of the Trade; If the duty of six pence per Gallon is continued and rigorously exacted, all must desist altogether from importing molasses or run it in clandestinely. In either case the Crown will receive no revenue. It wont answer to import it and pay the present duty, as the prime cost of it togather with the duty added, will make the price of it equal to the price of West india Rum, and West india Rum at an equall price having always the preferrence, the sale of New England Rum will be totally prevented and consequently the importation of Molasses from which that rum is distilled. In case we have it at all, therefore, it must be run; perhaps it will be objected that as we shall be narrowly watch'd, the risque of running it will be so great as to prevent it, but it may be answer'd, that if we don't import it, the Price of Rum and Molasses will be so high as to make it worth while for the French to do it; It is asserted by the British Sugar Planters that in case we did not purchase the Molasses of the French, it woud be of no value to them, the only use they woud make of it woud be, as formerly, to give it to their Hogs and Cattle. Now this being the case and they having experienced the Profitts of selling of it to the English and well knowing their want of it, won't the Temptation be great to run it in clandestinely among the English Islands and the Nothern Colonies, they can run no great risque, for if it shoud be seiz'd and forfeited (as its acknowledged to be of little or no value) the

loss can be no great, on the contrary, if its safely landed, as the price will be high, the Profitts will be large and in a short time they'll run away with the Trade. Thus I think it evidently appears that in case the present Duty is continued, the Crown can expect no revenue; whereas if the Parliament shoud think fitt to lower the Duty to an half penny or a penny per gallon, there woud be no temptation to run it and the Duty woud be chearfully and universally paid and thereby a considerable revenue accrue.

I fear I shall quite tire you out with writing upon this subject. I have wrote you already by this conveyance, but the ship being detain'd by contrary winds and the few observations foregoing occurring to my mind I thought it woud not be amiss to write again and I hope any light I may be able from time to time to afford relative to this matter will be agreable. I have wrote only as a private person and with entire freedom and presume no use will be made of what I have wrote to my disadvantage; I am with respect Your most humble Servant,

THOMAS CUSHING.

ROYAL WARRANT[1]

GEORGE R. — Whereas by an Act of Parliament made in the First Year of our Reign for enabling us to raise the Sum of One Million for the Uses and Purposes therein mentioned and for further appropriating the Supplies granted in that Session of Parliament It was enacted that out of all or any the Aids or Supplies therein mentioned there should and might be issued and applied any Sum or Sums of Money not exceeding Two hundred thousand Pounds upon Account to enable us to give a proper Compensation to the respective Provinces in North Amer-

[1] Mass. Arch., VI. 275.

ica for the Expences incurred by them in the levying, cloathing and Pay of the Troops raised by the same, according as the active Vigour and strenuous Efforts of the respective Provinces should be thought by us to merit. And whereas we did by Warrants under our Royal Sign Manual, bearing date the 16th day of July, 1762, declare our Resolution that the said full Sum of Two hundred thousand Pounds should be applied for the giving such Compensation to the said Provinces, and did direct the Sum of One hundred and ninety thousand Pounds to be paid in respect thereof, and the remaining Sum of Ten thousand Pounds was reserved to answer a Claim which had been made on the Behalf of the Colony of Massachusetts Bay for a Sum of Money alledged to have been expended by the said Colony at the requisition of General Amherst, Commander in Chief of our Forces in North America, in raising and paying Troops for Garrison at Louisburg and Nova Scotia in the Winter preceeding the Campaign of 1760. And we being given to understand by the Commissioners of our Treasury that upon Examination of the said Claim it appears that the Sum of Three thousand Pounds is due to the said Province for the said Service; therefore to satisfy the said Demand and to make a Distribution of the Residue of the said Sum of Ten thousand Pounds for the use of the said Provinces, according to the Proportion observed in the payment of the said Sum of one hundred and ninety thousand Pounds, our Will and Pleasure is, and we do hereby direct, authorize and command that you do apply the Sum of Ten thousand Pounds which hath been impressed to you for this Service in paying the following Sums of money unto such Person or Persons who is, or are, or shall be duly authorized and impowered to receive the same for and on the behalf of the

respective Provinces herein after mentioned, that is to say, the Sum of Three thousand Pounds for the use of the Province of Massachusetts Bay in full satisfaction of the said Claim; and the further sum of Two thousand one hundred and ninety Pounds Twelve Shillings and six Pence for the Use also of the said Province; the Sum of three hundred and Fifty one Pounds Five Shillings and six Pence for the use of the Province of New Hampshire. The Sum of Four hundred and Twenty Pounds three Shillings for the Use of the Province of Rhode Island and Providence Plantations. The Sum of one thousand four hundred and ninety-nine Pounds two Shillings for the Use of the Province or Colony of Connecticut in New England. The Sum of One Thousand and Eighty-nine Pounds three Shillings for the Use of the Province of New York. The Sum of Four hundred and twelve Pounds twelve Shillings and six Pence for the Use of the Province of New Jersey or Nova Cesaria. The Sum of Five hundred and ninety-five Pounds, Fifteen Shillings and Six Pence for the Use of the Province of Pensilvania with the other Government of the Counties of New castle, Kent and Sussex or Delaware. And the Sum of Four hundred and Fifty One Pounds Six Shillings for the Use of the Province of Virginia. All which said Sums are to be paid without deduction and without Account. And this shall be as well to you for making such Payment as to ou Auditors and all others concerned in passing your Accounts for allowing the same there upon a sufficient Warrant. Given at our Court of St. James's this 14th day of December, 1763, in the fourth Year of our Reign.

By His Majesty's command. George Grenville
John Turner
Thos. Orby Hunter

To our Right Trusty and well beloved councillor, Henry, Lord Holland, Paymaster General of our Guards, Garrisons and Land Forces.

ORDER OF THE GENERAL COURT

In the House of Representatives, Febr'y 3, 1764.

*Ordered*, That the Secretary be directed to write to Mr. Agent Mauduit to send an Account of the whole Charge of his Agency at the Court of Great Britain.

Sent up for Concurrence

TIMO. RUGGLES, *Spk.*

In Council, Febr'y 3, 1764. Read and Concurred.

JNO. COTTON, *D. Sec.*

Consented to,

FRA. BERNARD

Copy examined. A. OLIVER, *Sec.*[1]

[1] As a matter of administration such an order would be proper, the originals having been destroyed by fire; but there may have been another reason for adopting it — a decline of confidence in Mauduit. About this time Hollis and Mauduit must have had a difference, for the former wrote to Mayhew, December 6, 1763: "It is my request, that in the future you do not put me into any sort of connection *whatsoever*, with Mr. Agent Mauduit, or with his Brother once the Reverend Mr. Israel Mauduit." Perhaps the next paragraph of the letter may have some connection with the charge thus laid on Mayhew: "Little can I serve your Cause, the Cause of Liberty in New England; but what I can I will serve it, tho' by ways, at times, unknown to any one." The demands made upon his time and generosity by his American correspondents had more than once led him to request their forbearance, and to assure them that his time was fully occupied by his own concerns. But such an explanation must be rejected in view of Mayhew's reply: "I shall not forget your injunctions as to putting you into any kind of *connection* with two gentlemen mentioned by you. I am, at least *externally*, on good terms with them hitherto; but I well know that this world was never free from *Janus's* and *Temporizers*, both in religion and politics." Almost immediately Dr. Mayhew did send to Israel Mauduit by the hand of Hollis one of his controversial writings, asking him to overlook this violation of his injunction, and so called out a repetition of the command, "I again request you not to put me into any connection *whatsoever* with Mr. Israel Mauduit." And he had a fling at him later: "It was, perhaps, the well-timeing of the publication of the last Tract [just before the opening of Parliament], though Tradesman Mauduit wished to have had it published, but *abridged*, the beginning of the Summer, that drew the Public Eye upon it, shamed Leviathan [Secker], and forced what he called 'An Answer.'"

## THOMAS HUTCHINSON TO WILLIAM BOLLAN[1]

Boston, 6 February, 1764

The General Court removed to Cambridge, the small-pox being rife in several families in Boston. About 10 days ago some of the members of the House who were dissatisfied with the state of the province affairs in England, moved to chuse an agent to go from hence. Great opposition was made, but it obtained 46 against 40, and the Council concurred. When they came to a choice I had all the votes except 8 of both Houses. I was extremely perplexed and after some days' deliberation I gave my answer that I doubted whether the extraordinary expense of my going from hence would not more than equal any service I could do them, and besides that it was not practicable for me to go under 3 or 4 months. I left it therefore for them either wholly to excuse me for the reasons mentioned, or to admit of my engaging as soon as the obstructions could be removed. The House voted to excuse me for the reasons mentioned in my answer.[2] The Board non-concurred, and the affair being in this situation, the Court was prorogued, the other business being finished, and I suppose will not sit again until May. The Governor advised me not to accept without writing to Lord Halifax and this advice fell in with my inclination.[3] Otherwise I could

[1] Mass. Arch., xxvi. 76.

[2] In another letter, possibly to Jackson, dated February 7, Hutchinson stated that of the eight votes against his selection, three were cast by the members from Boston, being all of that delegation present at the time. When the question of confirming the choice or of excusing him from going to England was presented, many of the distant members had gone home, and Oxenbridge Thacher, a Boston member, who had been absent from the first election, was present, making the party against the agency the stronger. Hutchinson was excused by a vote of 33 to 30, but the Board by a division of its members nonconcurred. In other letters Hutchinson said he was excused by a majority of two votes.

[3] Not immediately, for he wrote to Jackson: "I must own I never imagined until

hardly have brought myself to think that I should have given offense as my post had neither business nor emolument annexed to it. I have wrote by this ship, and desired of My Lord Halifax that if this request should be renewed I might have leave.[1] It is uncertain whether it will or no. They begin to attack me in the papers already. If it should, I find a great reluctance when I take a near view of it. If I thought I could do any service I would run the risk of being reproached for doing it. I have no personal advantage in view except the improvement of my mind; new posts or new employments I do not desire. You can see the thing in a truer light than I can. I wish you would

---

then that a commission without any kind of business or perquisite could be intended to confine me to a particular place, but upon consideration I was satisfied the Governor's advice was right."

[1] "The Assembly in their present session by a general vote desired me to take a voyage to England as agent for the province to transact several affairs which are depending there. Although the Lt. Gov.'s place whilst the Governor is in the province has neither business nor emolument annexed to it, yet I did not think it proper to be absent without leave. Notwithstanding my refusal at this time it is possible the Assembly, which by charter is to meet the 30th of May, may make the same request. I humbly ask your Lordship that if they should repeat their desire, I may have leave to comply with it, unless it shall appear to your Lordship to be for his Majesty's service that I should remain in America." *Hutchinson to the Earl of Halifax*, February 3, 1764. Mass. Arch., XXVI. 78. Leave was refused.

A memorial on the molasses duty was prepared, entirely the work of Israel Mauduit. "He thought that it might be of service to lay the Argument in one View before their Lordships. And considering the very formidable number of Votes, which the West Indians have in the house of Commons; that it is our business to avoid as much as possible the committing ourselves in any dispute with them. Many of the Merchants he has talk'd with are convinced that it is a common Concern of both Colonies to discourage as much as possible the French, Dutch and Danish Distilleries; and for that purpose to allow the foreign Islands to sell their Molasses. But many of the mere Islanders don't choose to look so far. One thing their own Interest has suggested which may be of service. They have desired the Lords of the Treasury that no ship may be permitted to sail from our West Indies, without a Certificate upon Oath, that the Sugar, Rum or Molasses on board are the produce of the Island cleared from." *Jasper Mauduit to the Speaker*, February 11, 1764. Mass. Arch., XXII. 351. A printed copy of this memorial dated (in MS.) February 9, 1764 and signed by Jasper Mauduit is in the John Carter Brown Library, Providence.

give me your candid advice. There will be opportunities before that affair can come forward again. Your affect. humb. sert.

### HARRISON GRAY TO JASPER MAUDUIT

Boston, Feb'ry 7, 1764.

Sir, — Inclosed you have an Account of the bills drawn on you since my last of the 2d of November, amounting to the Sum of Four thousand six hundred and eighty pounds. The General Court at their last Session made choice of His Honor the Lieut. Governor to be in the joynt Agency with you, not from any disrespect to you, but it was apprehended from some of his Honor's friends in the House, that no one in this Country was so well acquainted with the dispute that has been long subsisting between this Province and the other Colonies relative to the Line. His Honor has excused himself from that service. My sincere compliments to your Brother. I have the Honor to be Your most Obedient Humble Servant,

H. Gray.

### THOMAS CUSHING TO JASPER MAUDUIT

Boston, Jan'y: [*blank*], 1764.

Sir, — Since the foregoing the Generall Court have mett and have chose a large Committee of both Houses to consider how our Trade is affected by the Act of Parliament laying a duty upon Molasses, etc. The Committee have mett and we are prepairing Instructions for you upon this matter. I find the Committee in general are of oppinion that this Act is at this time put in rigorous execution in order to obtain our Consent to some Dutys being laid, but this is look'd upon of dangerous consequence as it will be

conceeding to the Parliaments having a Right to Tax our trade which we can't by any means think of admitting, as it wou'd be contrary to a fundamentall Principall of our Constitution vizt. That all Taxes ought to originate with the people. Now this can't be at present the case with any duty's the Parliament may lay, as we are not Allowed a Representative in Parliament; Its probable therefore you will be instructed Strenuously to oppose any duty at all being laid. If they impose any it must be without our Consent. I mention this for your Government. I hope your Instructions will be ready and forwarded by the first Vessell — in the meantime I am with Respect Your humble Servant, THOMAS CUSHING.

BOSTON, February 11th, 1764.

MR. MAUDUIT. SIR, — Since my last the General Court have finished your Instructions [1] relative to the Sugar Act

[1] On January 27 the House appointed Edmund Trowbridge, Chambers Russell, James Otis, John Winslow and Royall Tyler a committee to prepare instructions for Mauduit. The names added from the Council are not entered in the printed *Journals*. As the Court was prorogued February 4, the instructions were prepared by the committee during the recess. They are in Mass. Arch., XXII. 320. They reached Mauduit late in March, too late to be of real service.

"In my letter of the 12th of March I mentioned, that it was intended to keep up Ten Thousand Men in the several parts of America and the West Indies. And that the Colonies should contribute to the Maintenance of them. I have not since the writing of that Letter received any objections to this scheme, and therefore did not think myself at Liberty to make any; but judged it best, as we could not oppose, to make a Merit of our Submission. Nor indeed could any opposition at all avail, in the present state of our Finances. Mr. Grenville, after the kindest expressions of regard to the Colonies, assured my brother, that whatever were the distresses bro't upon the revenue by the extravagant Expenses of the War, they did not mean to draw anything from America for the relief of them. All that was desired was, that it should bear the charge of its own Government and Defence, and nothing more. In this the Parliament will most certainly concur with him. Nor do I find the least Disposition in the other Agents to oppose it. All that we can desire, therefore, is to have the Duties laid on in such a manner, as shall be the most equal, and the least prejudicial to our trade." *Jasper Mauduit to the Speaker*, February 11, 1764. Mass. Arch., XXII. 350.

and the Secretary forwarded you the same by the last conveyance. While this matter was under consideration it was represented that the Ministry were meditating some new Regulations with respect to the Colonies, that a number of Forces were to be sent to garrison the Forts upon the Frontiers, that the Forces were to be supported by a Revenue to be raised out of Dutys to be laid upon our Trade, etc. And a Motion of a sudden was made to chuse some Person on this side the Water acquainted with the nature of our Trade and with Government affairs, as an Agent to be joined with yourself in order to prevent any such Duties being laid and to transact the Business of the Province at the Court of Great Britain, and after some debate the question was put and out of 86 Members 46

In opening his budget Grenville postponed stamp duties for a year, while suggesting a duty of three pence a gallon on foreign molasses imported into North America. Grenville, in suspending stamp duties for one year, wished to give to the Provinces their option, to submit to the proposed duties, or to raise an equivalent sum by another tax — "desirous, as he expressed himself, to consult the Ease, the Quiet, and the Goodwill of the Colonies." *Jasper Mauduit to the Speaker*, March 13, 1764. Mass. Arch., XXII. 359. "The present sense of Parliament is such, that I should only flatter and deceive the General Court, if I led them to imagine, that any one Man of Consequence there would stand up in his place, and avow an opinion that America ought not to bear at least the greater part of the expense of its own Government; or that Acts of Parliament (tho' not Orders of Council) were not obligatory upon all his Majesty's Subjects in all parts of his Dominion." *Jasper Mauduit to the Secretary*, April 7, 1764. *Ib.*, 363.

"A few days ago several of the Agents waited upon Mr. Grenville, to know his intention upon that subject [stamp duties]. When he told us that he was still of the same mind. That of the several Inland Duties that of the stamps was the most equal, required the fewest officers, and was attended with least Expense in the Collecting of it. That therefore, tho he doubted not but that the Colonies would wish rather to have no tax at all; yet as the necessities of Government rendered it an indispensable duty, he should certainly bring in such a Bill. And in the meantime he should leave it to each province to signify their Assent to such a Bill in General, or their requests about any particular modifications of it as they should think fit. My Brother took the Liberty of desiring to have the particular heads of the Bill; without which he said it would be asking the province to assent to they did not know what. But was answered, that that was not necessary. That everyone knew the stamp laws here; and that this Bill is intended to be formed upon the same plan." *Jasper Mauduit to the Secretary*, May 26, 1764. *Ib.*, 375. A duplicate is in LVI. 425.

were for chusing an Agent to be join'd with yourself and the next day proceeded to the choice. Mr. Hutchinson the Lieut. Governor, having been bread a Merchant and been long conversant in Government affairs, was thought of as a suitable Person, and no other person appearing inclin'd to undertake this Business, he was choose. His Honor, after taking this matter under consideration, return'd for answer, that as it was not probable any services he could do woud contervail the Charges of a voyage to Great Brittain and of his support while there, and as his affairs were attended with some difficulties which coud not be removed under three or four months he left it with the Court either wholly to excuse him from the Agency or to permitt him then, (if inclined,) to take it up.[1] The House took this answer under consideration and as they apprehended it woud be very expensive and an additional agent, if necessary, woud be wanted immediately; they voted wholly to excuse His Honor from the Agency. The Council were divided in their sentiments upon this matter, one half of them were for wholly excusing His Honor and the other half were for his considering of it for a while. The Court soon rose and so this matter ended and I believe the House will not be very soon perswaded, (if His Honor shoud hereafter be inclined) to vote for sending him again. I hope you will be able to gett the affair relative to Duties upon Molasses settled this winter, in that case the Court will judge it altogether needless to have him for an additional Agent. It has been suggested that the Ministry will attempt to obtain a stampt Act laying a duty upon all writings in the Colonies. I doubt not you will oppose

[1] Hutchinson's letter is printed in the *Journals of the House of Representatives*, February 2, 1764.

strenuously such an attempt with all other Projects of the like nature.[1]

Mr. Bollan some time since sent his Account and a Committee was appointed to examine the same during the recess of the Court. The Committee reported this sessions and the House have order'd that a copy of said Report togather with the Account annex'd shoud be sent you as also to Mr. Bollan. It is an Account of long standing and therefore difficult to settle. This was observed by the House while this Account was under consideration and therefore it was moved that to prevent the like difficulties in the adjustment of your accounts, that the secretary might be directed and he was accordingly directed to desire you to transmit your accounts as soon as conveniently you coud, and it is apprehended by your Friends that Justice is more likely to be done you by frequent settlements, than other ways. Mr. Jackson's Friends have not ventur'd this sessions to propose his being join'd with you in the Agency. The objections are so obvious that they dispair'd of obtaining a vote for it, besides they were apprehensive that the generality of the Court were disposed for joining your Brother. The G-v-n-r's great attachment to Mr. Jackson and the hurry and confusion the Court have been in this Session has been the prevailing reasons with your Friends for not moving for this latter junction this session. The hurry and confusion in the Court has been or was occasioned by the Courts being oblidged on account of the

[1] "As to the other American Bills, they are not yet bro't into the House; nor is it determined when they will be. Your trade I know languishes under the pressure of that heavy Duty on Molasses; and upon that Account it were to be wish'd that the Intended regulations might speedily take place: But upon the other Account this is a very bad Sessions for any such attempt, when the state of parties is such, that 50 or 60 West India voters can turn the balance on which side they please. I heartily wish you to escape every distress of this sort." *Israel Mauduit to* ———, March 3, 1764. Mass. Arch., LVI. 412.

Small Pox to remove from Boston to Cambridge, where they had not been many days before the Colledge in which they satt was consumed by Fire togather with the Library and Apparatus, a very great and sore loss to that Society and to the whole Province. I doubt not your good offices togather with the rest of the Friends of New England to promote any measures that it may be thought expedient to prosecute in order to retreive this Loss and to replace the Library and Apparatus. I am with Respect Your most humble Servant, THOMAS CUSHING.

ISRAEL MAUDUIT TO ——[1]

SIR, — I thank you very kindly for the Pamphlets you were so good as to send me, with your remarks on the state of the Controversy between our good friend [2] and his opponents, which I think ingenious and well founded. I herewith send you a Copy of the London Edition of the Dr's work, and an answer to it, written and printed here. It is writt with great Art, and reads to advantage by carrying the face of Moderation and good Temper. In the main it does the Dr. honour; as it acknowledges that there has been ground given for the Complaint.

You'll excuse my enlarging: as I am at present much taken up in preparing and solliciting a bill in parliament for the encouragement of the whale fishery, which as it is my own undertaking, I am willing to go thro with. I am, Sir, your humble Servant, ISRAEL MAUDUIT.

Lime Street, 14 February, 1764.

[1] Mass. Arch., LVI. 411.

[2] Mayhew.

### THOMAS CUSHING TO JASPER MAUDUIT

Boston, March 29, 1764

Sir, — I have received your kind Favor of 12 November last. I hope you will by no means come into any sudden Determination with respect to the Agency. You have represented to the Court the advantage that will accrue to the Province from your Brother's being joined with you, you have also informed them of your ill state of health, and if from thence the Business of the Province should at any time Suffer, they will have to blame themselves not you. Besides, if at this juncture you shoud resolve to resign, the late Choice the Court have made of Mr. Hutchinson will perhaps be thought by some to be the prevailing motive to such a determination. The Court approve much of your conduct. They are very desirous of and still expect to reap great Benefit from your further Services. Your Resignation therefore will greatly supprize them, as well as Disappoint them. I conclude with my respects [to] your Brother, Your most humble Servant,

Thomas Cushing.

### ANDREW OLIVER TO JASPER MAUDUIT

Boston, 3d April, 1764.

Sir, — I have made up a Box of Public Papers which go by the Brigantine *New Swallow*, Andrew Gardner, Master, bound for Bristol, to your Address. I have desired Mr. William Jones of Bristol to forward the Box to London by the Machine, and pray you woud reimburse him any Charge attending it. There are for yourself in the Box Copies of 16 Acts passed the last Session of the Court, authenticated under the Province Seal, and a Journal of

the House of Representatives the same session, to which is annexed printed Copies of the State of our Controversies with the neighbouring Governments,[1] which I sent you in Manuscript in my last by order of the Court.

There is in the Box a journal for Mr. Jackson, and a large parcel for Mr. Pownall, Secretary to the Board of Trade. I have likewise inclosed a Letter to Mrs. Mary Wightwick in Strutton Street (if there be such a Street) Picadilly: I pray your Care of these Inclosures, and should be glad to know that the Letter to Mrs. Wightwick reaches her hands, and that you would be kind enough to forward me any Answer from her. The other Inclosures are from the Governor, who would be obliged to you for your care in forwarding them as directed.

You will see by the Journal of the House, that a Motion originated there the last Session for sending a Person from hence to join with you in the Agency. The time seemed to be critical, not only as it was apprehended that the Ministry might use their influence in Parliament for laying duties on sundry Articles in the Colonies; but as it was apprehended likewise that now the War was over, they would proceed to the settlement of the Boundaries between the several Governments. It was judg'd that one among Ourselves must be more intimately acquainted with the circumstances on which these matters might turn, than it was possible to make the standing Agent acquainted with them by writing. The Board came into the Proposal, and the Choice fell on the Lieut. Governor: But as he thought himself obliged to acquaint the Ministry before he ventured to leave the Province, he waived the matter, as you will see by the Copy of his Letter in the Journal. The House thereupon voted to excuse him wholly from the

[1] This is appended to the printed *Journal*, 1763–64.

Service; the Board nonconcurred this Vote, and so this business is suspended: How it will issue cannot at present be determined; You may possibly know the determination of the Ministry sooner than we. And as to the Affair of the proposed Duties; that is most probably determined already.

I am much obliged to your Brother for the Lights he has given me in these matters. I am, Sir, Your most obedient and most humble Servant, And'w Oliver.

Sir, — I must pray you to excuse this coming on a single half Sheet, the other half was so defaced since writing this, that I was obliged to take it off, and have not time to transcribe it.

Your favour of 17 December with Mr. Sewel's Opinion on Mr. Martyn's Will is come to hand.[1]

## Jasper Mauduit to [Secretary Oliver?][2]

London, April 5, 1764.

In conformity to the orders of the General Court I now send them my Account, which they will find to be a very short one. As I have immediately after the Receit of their Money either placed it in the Bank, or applied it to paying their Drafts; and have kept their Exchequer Bills at Interest for the use of the Province, I think myself intitled to a Commission: which I have put only at one per Cent. You will see that I take no notice of Postage and all other charges attending their service except only the mere fees of

[1] "With respect to Mr. Martin's Legacy, the Case as drawn by Mr. Anderson, as also that by me, both of which Mr. Sewall has given his Opinion on, were read to the General Court at which were present some Members, eminent Professors of Law; and considering well all Circumstances, they were of Opinion that the Scots Society have no Right to that Money, but we came to no Resolution because we expect an Answer to mine of the 17th of December past relative to this Matter." *Mauduit to Andrew Oliver*, April 10, 1764. ms. (013.24, f. 20).

[2] Mass. Arch., lvi. 419.

Office, which I have paid upon the Provinces Account. I leave it therefore to the General Court to Determine what they think right to allow for the Agency, and am with great respect their most Obedient Humble Servant,

JASPR MAUDUIT.

ACCOUNT

*Dr.* PROVINCE OF MASSACHUSETTS BAY WITH JASPER MAUDUIT, AGENT *Cr.*

| 1763 | | | | 1763 | | | | |
|---|---|---|---|---|---|---|---|---|
| April | 25 | To Ballance of last Years Account bro't forw'd | £146.101. | Nov. | 24 | By Cash rec'd being the Compensation for the Year 1761 | £28,574.16.– | |
| May | 18 | To Cash for Copys of Representations by the Agent to the Lords of the Treasury | 12.– | | | By 142 Exchequer Bills of £100 each dated the 24th November, No. 6614 to 6755 Inclusive | | |
| July | 29 | To do. pd. Copy of a Minute at the Treasury | 1. 1.– | Decr. | 1 | By Sale of 12 Excheqr. Bills by Jas. Cappes, a Broker No. 6614 to 6625 | £1200. | |
| Nov. | 24 | To do. 4 Bills by H. Gray, Esq. No. 175 to 178 | 1180. –.– | | | Interest 7 days at 4 pr. cent 18.4 | | |
| | | To do. Interest on do. | 29. 5.– | | | 1200.18.4 | | |
| | | To do. Fees to the Treasury Clerks on rec'g the Warrant for £42,774.16.0 | 12.12.– | | | disco't 17/ per cent. on each 10. 4. | | |
| | | To do. Fees One Guinea pr. Thousand on £42,774.16.0 at Pay Office | 45. 3.– | | | 1190.14.4 Commission paid the Broker 12 | 1190. 2.4 | |
| | | To do. Doorkeepers at the Treasury | 2. 2.– | | | By Sale of 14 Excheqr. Bills per P. How a Broker No. 6626 to 6639 £1400. | | |
| | | To do. 102 Bills drawn by H. Gray, Esq. No. 1 to 162 | 35,000. –.– | | | Interest 7 days at 4 pr. cent. 1. 1.5 | | |
| | | To do. 1 Bill No. 124 to R. Tyler, Esq., Sept. 12th, being another Bill of that Number | 100. –.– | | | 1401. 1.5 disco't 171 per Cent. on each 11.18. | | |
| | | To do. Interest on all, over due | 122.12.8 | | | 1389. 3.5 Commission paid the Broker 14 | 1388. 9.5 | |

| 1764 | | | | 1764 | | | |
|---|---|---|---|---|---|---|---|
| Jany. | 5 | To do. Fees to Treasury Clerks for Warrant for £10,000 for all the Agents | 8. 8.– | Jany. | 5 | By Cash rec'd being the remainder of the Compensation for the Year 1760 and my part of £10,000 stop'd last Year | 2590.12.– |
| | | To do. Fees one Guinea pr. Thousand on £5,190.12. at the Pay Office | 5.15.6 | | | By 26 Excheqr. Bills of £100 each dated the 20th December last, No. 8328 to 8353 Inclusive | |
| | | To do. Door and Chamber keepers at Board of Trade (as usual) | 2. 2.– | | | By sale 10 Excheqr. Bills pr. Jas. Cappes, a Broker No. 6640 to 6649 £1000. | |
| Febry. | 7 | To do. my Share of the Copy of the Lords of Treasurys Order to Mr. Jackson to repay what he rec'd more than his due for the year 1760 | 5.– | | | Interest 27 days at 4 pr. Cent. 2.19.2 | |
| | | | | | | 1002.19.2 | |
| | 13 | To do. Doorkeepers at House of Commons | 2. 2.– | | | disco't 18s pr. Cent. 9. | |
| | | | | | | 993.19.2 | |
| March | | To do. Porters at the Treasury | 5.– | | | Commission pd. the Broker 10 | 993. 9.2 |
| | | To Commission rec'g and pay'g £48,427-1.6 | 484. –.– | | | By Cash Rec'd of the Agents their Share of the Warrant for £10,000 | 7. 7.– |
| | | To Ballance in hand | 2095. 3.5 | | | By Cash rec'd of Richard Jackson, Esqr. | 261.13.6 |
| | | To One Years Agency | 39.237.18.8 | | | By 2 Excheqr. Bills of £100 each dated 20 Decr. No. 8358 and 8360 | 200. –.– |
| | | | | | | Sold with Interest £461.13.6, being your share of £190.000 and overpaid to Connecticut for the year 1760 | 11.7 |

| | | | |
|---|---|---|---|
| Feby. 21 | By Sale of 10 Exchequr. Bills, No. 6650 to 6659 Inclusive | | 1000. –.– |
| | Interest on do. £9.15 | | |
| | disco't 71 each | 3.10 | |
| | Commission paid Broker | deduct 10 | 5.15.– |
| March 7 | By Sale of 10 Exchequr. Bills No. 6660 to 6669 Inclusive | | 1000. –.– |
| | Interest on do. 3 Months and 12 days £11. 6.3 | | |
| | disco't 81 pr Cent. 4. | | |
| | Commission pd. Broker 10 | | 6.16.3 |
| 12 | By Sale 10 Excheqr. Bills No. 6670 to 6679 Inclusive | | 1000. –.– |
| | Interest on do. 3 Months and 17 days £11.17.3 | | |
| | disco't 3s each 3. –. | | |
| | Commission pd. Broker 10. | | 8. 7.3 |
| 22 | By Sale 10 Excheqr. Bills No. 6680 to 6689 Inclusive | | 1000. –.– |
| | Interest on do. 3 Months and 27 days £12.19.2 | | |
| | disco't 5s each 2.10. | | |
| | Commission pd. Broker 10 | | 9. 9.2 |
| | | | £39,237.18.8 |

Errors Excepd
Jaspr Mauduit
April 5, 1764 [1]

[1] Mass. Arch., CIV. 271.

## HARRISON GRAY TO JASPER MAUDUIT

Boston, April 7, 1764.

Sir, — Your favours of the 13th December 1763 by Capt. Maxwell I rec'd. Observe you mention that Two bills of £100 each of the same number, have been presented to you for payment, one in favour of J. Gardiner and the other in favour of Royal Tyler Esqr. and that you have discharged them both; for which I am obliged to you; That Bill in favour of Mr. Tyler, thro' my great hurry of business I have omitted recording and consequently have drawn for One hundred pounds more than I should have done; but as

*Dr.* Province of Massachusetts Bay with Jasper Mauduit, Agent[1] *Cr.*

| 1764 | | | | 1764 | | | |
|---|---|---|---|---|---|---|---|
| April | | To Cash for fees to the Treasury Clerks on rec'g the Warrant for £45,419.18.6 | 12.12.– | April | 6 | By Ballance of last Account sent | £2095. 3.5 |
| | | To do. Doorkeepers at the Treasury | 2. 2.– | | 11 | By Cash, part of the Compensation for the Year 1762 | 21,519.18.6 |
| | 12 | To do. Fees one Guinea pr. Thousand on £45,419.18.6 at the Pay Office | 48. 8.– | | 12 | By Cash for 92 Exchequer Bills paid off at the Excheqr., being the Remainder of what I receiv'd in November and January last | 9200. –.– |
| May | 12 | To Commission rec'g and paying £45,422. 10.9 | 454. –.– | | | By Interest on them Receiv'd | 133. 5.4 |
| | | To Cash in hand | 56,333.17.6 | | 13 | By 239 Exchequer Bills, being the Remainder of the Compensation for the Year 1762 | 23,900. –.– |
| | | To Sallary | | | | By one day's Interest on ditto | 2.12.3 |
| | | | | | | | 56,850.19.6 |

Jaspr Mauduit

[1] Mass. Arch., civ. 275.

the last bill I drew on you was in favour of my son Harrison, which he has endorsed to Messrs. Champion and Haley for £721, you are desired to pay but £621 which will rectifie the mistake; but if you before this reaches your hands have answered said draught, I will take care and have it rectified, in the bills I shall have orders to draw upon you, for our services for the year 1762. My Compliments to your Brother, and believe me to be with the utmost sincerity Your most Obedient humble Servant,

H. Gray.

### THOMAS CUSHING TO JASPER MAUDUIT

Boston, April 9, 1764

Sir, — I have received your much esteem'd Favors of the 24th December and the 11th February last. Am glad if any information I gave you relative to the Sugar Act was acceptable. I have perused your Letters to the Speaker and the Memorial you presented to the Treasury. The Memorial [1] is generally allow'd to be handsomely drawn and the Arguments, used, much to the purpose, but your Friends are sorry to observe some concessions you have made. It was presumed you woud not have conceeded to any Duty till you had heard from the Court. They have Instructed you to the Contrary and its probable will think themselves oblidged to disavow any concessions you have made of this nature; I have wrote your Brother more particularly relating to this matter, as I learn he drew the Memorial, and therefore shall wave saying any thing further upon it. The Court ought to have instructed you before, their silence I suppose led you to think they woud acquiesce in a Duty if it was such as the trade woud bare,

[1] See p. 144*n*, *supra*.

others suppose you were induc'd to acquiesce in a 2*d* duty from some Letters that were wrote to England, as is said, by People concerned in the Customs and who share a dividend of all Forfeitures; It is reported that these Letters represented that a Two penny Duty woud answer and so (it is suggested by some) it will for the Letter Writers but not for the Crown, for it will never raise a Revenue. The trade will not bear it. Consequently People will leave the Trade or be under a Temptation to run the Molasses in clandestinely. This will frequently occasion seizures. The Officers of the Customs and others will be benefitted and the Revenue lost. No wonder, (say they) these People are for Two pence, a penny they know will be paid and therefore will not answer their Purpose. I am really apprehensive the Ministry by endeavouring to raise a large sum by means of this Duty will lose their aim and get but very little.[1]

You say some further Regulations are intended and I hear some other Duties are proposed. I doubt not you will be as you always have been, attentive to our Interest and will be vigilant and active in opposing every Project of this Nature; Really Sir, the Ministry by these schemes are not

[1] In a letter of March 23, 1763, Mauduit had acquainted the General Court with a motion made by the first Lord of Trade, for lowering the duty on foreign molasses from 6*d* to 2*d* per gallon, in order more effectually to collect the duty. The bill was deferred to the next session of Parliament, and Mauduit at the end of December forecast the probable action: "The quantum of the duty is to be one of the first things considered immediately after the meeting of the Parliament. All agree that a practicable duty should be laid, and the payment of it enforced. To attempt to controvert either of these would be to no manner of purpose. As the General Court have not been pleased to instruct me in their sentiments upon this subject, I was left to pursue my own, in conjunction with the other agents. And their silence inclined me to think that such a scheme, if duly moderated, might not be disagreeable, tho' they might not choose to appear openly to approve it. The sum at first thought of by the Treasury was 4*d*. But Mr. Grenville seems to be now satisfied with 2*d*. We are endeavouring at a penny. It will not probably be more than two pence. All that the duty can be brought to under that, must be reckoned as gain." Mass. Arch., XXII. 340.

pursuing the true interest of Great Brittain and at the same time are oppressing these Colonies; It is the interest of our Mother Country to keep us engaged in trade and to draw our attention as much as possible from Husbandry and Manufactures. While this is the case we shall constantly have large demands for all kinds of Manufactures from Great Brittain but the Minute our Trade is cramp'd by heavy duties and we are diverted from the pursuit of it, we have nothing else to recur to, for subsistance, but Husbandry and Manufactures, we must live within ourselves, and the demand for goods from England will necessarily cease and Great Brittain lose more by this means, beyond all account, than she will ever be benefitted by any Duties that may be collected. I am with much Esteem Your most humble Servant, THOMAS CUSHING.

P. S. I write in confidence to a Friend and therefore conclude no Intelligence I furnish will be divulged as coming from me.

### THOMAS CUSHING TO JASPER MAUDUIT

BOSTON, June 22, 1764.

SIR, — Since my last the General Court have had a Session at Concord and your several Letters to the Speaker have been communicated; By this Conveyance you will receive an Answer instructing you to endeavor to get the Act laying a Duty of 3*d* per gall on Molasses etc. repealed and to oppose most strenuously any Stamp Duty.

The House acknowledged you had timely advised them of the intention of the Ministry to impose those Duties, but thought it necessary to write you, in the manner they have, with respect to any concessions you have made, least their

Silence shoud be construed as an acquiescence in those Measures; I doubt not you will make a proper Improvement of what they have wrote you upon this Head, as also of the State of the Rights of these Colonies inclosed you at the same time.

Mr. Hutchinson, it seems, was disposed to be improved at this time as an agent at Great Brittain. His Friends accordingly in a very pressing manner moved at this Session, that he might be joined with yourself in the Agency, but the Motion was rejected by a very great Majority. It was judged altogether needless, as we had the management of our Affairs in the hands of a Gentleman whom the Court coud confide in and whose conduct hitherto had been so acceptable, besides as His Honor held a Commission immediately from the Crown he was thought not so suitable a Person to oppose Ministerial Measures.

I doubt not your Brother might have been join'd with you in the Agency had there been time properly to have adjusted matters, but the session was very short and the Court at this Busy Season of the year in a great hurry; It was thought best, therefore by your Friends, not to push the affair at this time but to refer it to the next session, by which time all obstacles I verily believe will be removed. The Truth is; The Friends of the Lt. Governor have been in great hopes ever since Mr. Bollan's Dismission of prevailing with the Court to send him Agent and the Governor at the same time has been very desirous of having Mr. Jackson [1] join'd with you, this has hitherto prevented your

[1] In writing to Ebenezer Silliman, early in November, 1764, Hutchinson said: "I have corresponded largely with your agent [Jackson] upon the state of the affairs of the colonies. He is certainly a worthy man. I have taken pains for his being appointed for this government also. The more respect shown him the greater weight he will have; but our misfortune is that we are influenced by party personal views more than by a regard for the public interest." Mass. Arch., XXVI. 118.

Brother's being joined, but as they now begin to dispair of choosing either of the Former, I believe the opposition to your Brother will in a great measure if not altogether cease. I woud not have him therefore be weary of well doing but persevere in his good services to the Province for which he has the Thanks of the House by this Conveyance. He may depend his Friends will do all in their power to have him join'd the first opportunity.

One reason, among others, urged for the Lt. Governor's being joint Agent, was that he might expedite the Settlement of the Disputes, which have long subsisted, betwixt this and some of the neighbouring Governments with respect to their boundary Lines; but this was judged not a sufficient reason, as you were furnished with all the necessary Papers relative to this subject and the Court depend upon your attention to it and that you will gett these Disputes settled with all Convenient Speed.

I wrote you some time ago that I sometimes imported woolen goods and as I was informed you were concerned considerably that way, desir'd to know upon what terms you woud supply me with Cloaths, Shalloons, Tammys, etc., but suppose the Letter miscarried If Trade shoud revive and I shoud meet with any Encouragement from my old Customers I don't know but I shoud engage again in the trade. Please, therefore to inform me as to this matter.

This will be handed you by my Kinsman, Mr. Thomas Bromfeild,[1] whom I recommend to your Patronage. Any respect shown him will be gratefully received by Your humble Servant, THOMAS CUSHING.

[1] (1733–1816), son of Edward and Abigail Bromfield.

THOMAS HUTCHINSON TO ——[1]

Boston, July 11, 1764.

. . . . . .

Besides my engaging in the service of the province is rendered more difficult by the most injudicious conduct I ever knew the House of Representatives guilty of. As I had received no letters from England my friends made no motion about the agency, and it was supposed nothing would be done that session. When it was thought to be near the close, I left the court to go upon the Eastern, which is the longest circuit, and several of the East members went with me and others of like disposition went home. A member of the town of Boston who had always been inimical to me, and I think to the country, took this opportunity to propose a letter to the agent as a report of a committee of which he was chairman; and although the agent has always been considered as an officer of the Court, yet this letter was never sent to the Council for their concurrence, but being accepted by the House, was, I suppose, signed by their Speaker. And they have been so infatuated as to print it in their journal.[2] It is very certain I should never have engaged in their service with such instructions. I think if I had been at liberty to engage, my friends could have prevented such from being given. I never was of opinion that any good could come from a sturdy and sullen behavior of the Colonies. The only ways in which I thought they could be served was by an humble representation of their claim, submitted to the wisdom and justice of a British Parliament in whose determinations British colonies must always acquiesce. If their claim of natural rights or to an equitable consideration of their case should

[1] Mass. Arch., XXVI. 85.

[2] Under date June 13, 1764.

be overruled, arguments may be used to show that taxes and duties will lessen the advantages which the nation has for so long time received by having the colonies for their customers, and greater benefit must accrue by diverting rather than restraining them from manufactures and branches of commerce interfering with the national interest, than can arise from taxes and duties; and finally, if monies must be raised, a more easy, equitable, and effectual way may be found for doing it than what has been hitherto projected. My principles were known to the members of the Court when I had so general a vote for their agent, and I am well assured there were not above six or eight members who would have desired to clogg me with instructions inconsistent with them. I fear this rash step will be of great prejudice to the country; that the same temper will prevail if not in the assemblies yet among the people of the other colonies, in some of which very rude things have been thrown out in print, which I fancy caused some of the members here more easily to agree to this letter. No good can come from such a spirit, but the individuals who are most active in stirring it up care not for the consequences to the public, provided they can make themselves popular and conspicuous.[1]

[1] "*Ordered*, that Mr. [James], *Otis*, Mr. [Oxenbridge] *Thacher*, Mr. [Thomas] *Cushing*, Captain [Edward] *Sheafe* and Mr. [————] *Gray*, be a Committee in the recess of the Court to write to the other Governments to acquaint them with the Instructions this Day voted to be sent to the Agent of this Province, directing him to use his Endeavours to obtain a Repeal of the Sugar Act, and to exert himself to prevent a Stamp-Act or any other Impositions and Taxes upon this and the other *American* Provinces; and that the said Committee in the Name and Behalf of this House desire the several Assemblies on this Continent to join with them in the same Measures." *Journals of the House of Representatives*, June 13, 1764.

THOMAS HUTCHINSON TO WILLIAM BOLLAN[1]

Boston, October 4, 1764

Dear Sir, — Your letter of the 14 April, so different from any I ever received from you before, gave me a good deal of pain, which has been increased by your neglecting to write to me from Lisbon. I am not conscious of my neglecting to write to you when I had any thing worth communicating to you, nor have I ever in any degree deserted your interest. I did every thing in my power, more I am sure than any other member of the Court, to prevent your dismission, and when I failed in my endeavors, I intimated the true cause of it. I have never seen an opening since for doing you any service in the General Court. Some, who I believe to be your real friends, and who I thought knew most of your mind, supposed that after the treatment you had received, you would not have accepted the agency again. Notwithstanding what Mr. Pownall has insinuated, I should never have had any difference with him, if I had complied with his repeated importunate sollicitations to forsake you, and after he was gone I was urged to suspend the choice of an agent until Mr. Bernard's arrival, with an assurance of a general vote for myself; but my friendship for you, as well as regard to the interest of the province, made me push the affair with more zeal than I should have done if such a proposal had not been made. When the choice of an agent came on last year, it was moved by your friends. I urged them to try what could be done in your favor, but they assured me it could then have no other effect than to strengthen the party who were for Israel Mauduit. I do not know whether you will think me political in it, but I will venture to assure

[1] Mass. Arch., xxvi. 101.

you the choice gave me more anxiety of mind than I could have felt if the vote had been against me, and I am quite easy in not obtaining leave to engage in that service. Your accounts have always been kept in the hands of half a dozen of the House, nor could I ever learn what their objections were, nor do I know what has been wrote to you. They keep it to themselves, and would as soon trust you with any designs they have to your prejudice as they would me. I am utterly at a loss what are the designs of the leading men of the House when they meet the 18th of the month. The best men seem not so sensible of the dangerous state of our constitution as others who have but little real concern about it. . . .[1]

[1] "There was a design to have chosen a new agent, but there were so many candidates on your side the water and so many here that it was deferred. My friends pressed me again to go over, but I did not think it proper.

"I have always been sensible of the true reason of my not being permitted to leave the province. When the late governor [Pownall] first came to New England in a private character, I showed him all the respect I could, and it was intirely by my procuring that he was employed in the service of the government as an agent or commissioner to the other colonies. When he came over governor he expressed great friendship, and I always attributed to his recommendation that I received a commission for Lieutenant Governor. Gratitude obliged me to do everything I could to make his administration easy, and he often declared to me that he was more obliged to me on that account than to any man in the province. But it was not possible for me as a member of the legislature to agree to every measure without being a mere machine, and having no judgment of my own. A very few instances of disagreement, particularly my attachment to Mr. Bollan, who I really thought at that time the most fit person to serve the province, and with whom I had been in friendship for many years, occasioned a coldness and some very severe expressions before the Governor left the province, which other people resented more than I did. The obligation I was under to him made me desire to remove every prejudice he had against me, and he assured me at parting everything would be forgot. I wish it had been so, and I am ready still to do everything that can reasonably be required to recover his friendship. Not that I am anxious for the continuance of my commission. I am every day more and more reconciled to parting with it, and whenever there shall be a new appointment of a governor, I shall choose to resign it, and if you will give me leave I will lodge a letter in your hands for that purpose." *Hutchinson to* ———, November 8, 1764. Mass. Arch., XXVI. 110.

## THOMAS CUSHING TO JASPER MAUDUIT

Boston, November 12th, 1764

Sir, — I am oblidged to you for your Favor of the 23d of August last. The General Court have lately met, and by this conveyance, I suppose, the Secretary will forward you a Petition of the Council and House of Representatives to the House of Commons; in their Letter to you [1] they have expressly asserted their exclusive right of Taxing themselves and have endeavored to prove that the Subjects here ought not to be taxed without their Consent either in person and by their Representative; They have not been so full and explicit upon this Head in their Petition least they shoud give offence to so respectable a Body as they are now applying to but expect you join with the Other Agents in obtaining leave, if possible, to be heard by Councill, before the House of Commons upon the subject matter of the Petition, of which this of our Rights is not the least important.[2] I understand that the Colonies of New York,

[1] The draft of this letter, prepared by Thomas Hutchinson, and dated November 3, 1764, is in Mass. Arch., LVI. 427.

[2] A petition accepted by the House, October 22, but non-concurred by the Council is in Mass. Arch., XXII. 412. The draft, in part, of the Council petition, entirely in the writing of Thomas Hutchinson, is in Mass. Arch., VI. 290. It was sent down from the Council October 31, and returned with amendments, November 5. On the next day the Council accepted all the amendments except one, which read: "This is a right we humbly conceive belongs essentially to the subjects of Great Britain. The People of this Province count it their glory to be denominated such subjects, such they are declared to be in the royal Charters as well as by Acts of Parliament, and therefore with all deference they hope the present Parliament will continue and confirm this invaluable Privilege to them." Another day of disagreement passed before the form was accepted by both House and Council. Mass. Arch., VI. 294, 295.

"We spent a fortnight in altercation between the two Houses. The majority of the Council remaining firm and steady presented a very ill-judged petition to the House of Commons which the lawyers upon the Boston seat had prepared, and which passed the House and was long insisted upon, and finally they gave it up and agreed to a more decent one, which perhaps will produce us relief no more than the other would have done, but will not bring upon us any farther evils. It is sent to Mr. Mauduit, although he had

Connecticutt and Rhode Island, have also remonstrated upon this Occasion. I hope the united sense of the Colonies will have so much weight in this matter as with the

---

intimated that he was tired of the agency. They would have chose a successor but could not agree. There were several candidates in England, and as many here. The latter, I imagine, in hopes each of them of a better chance another session, kept off the consideration at this. I had some expectation of interest enough to have obtained a vote for committing that paper to you, but the objections made to your accounts caused them to despair, and as often as it was mentioned the reply was that your own letter to the Secretary implied that the terms of your undertaking it should be their first settling your accounts. I never yet have been able to come at the sight of them. I find their principle objection is the charge of *commissions*. Their own agent has made the same charge. When they are told of that they say in answer that they have not yet allowed it, and that if they had, he has charged no expenses for his support nor any certain sum as a salary. We have two of the Representatives of Boston who oppose every motion in your favor. One of them was a creature of the late Governor and imbibed his prejudice then. The other, Mr. Otis, I believe has gone greater lengths that he would have done if I had not always espoused your cause; but he is not always of one mind, and very lately in consideration upon the subject of the agency he would give me no other reason for his opposition but your infirm state and inability to be constantly abroad. This as it was not a sufficient reason, so I know it was not what principally influenced him in his general conduct." *Hutchinson to Bollan*, November 7, 1764. Mass. Arch., XXVI. 116.

On November 3 Secretary Oliver sent a petition, of which Mauduit wrote: "I am quite pleased with the wording of it, and its just Remarks. Think it a Model or Pattern for all the other Agents to follow and even to join with." *To the Secretary*, December 20, 1764. Mass. Arch., XXII. 421. On January 11, 1765, Mauduit wrote: "As the session of Parliament is now opened, I have for some time past been in pain about the General Court's Petition, least it should not arrive before the American affairs came to be mentioned in the house. But this day I have received it and shall deliver it at the proper time. I have feed Council upon the right given in your Charter to tax yourselves, but Mr. Jackson is of opinion that the house will not allow of them. It gives me great satisfaction to see that the General Court have drawn their petition in so temperate and unexceptionable a manner. By printing their Letter, they have said all which they can desire to have said upon the subject, and more than any Agent here could have said, and coming immediately from them gives it the greater weight. I heartily wish it may have the effect they design'd, and tend to convince and not to exasperate. The Lords of Trade have laid a copy of that Letter, and of the New York Petition before the King in Council; and you will see that the King's Speech recommends the promoting that respect to the Legislative authority of this Kingdom, which is essentially necessary for the safety of the whole. I do not think it necessary that the province should set itself more forward than the rest, or distinguish itself more than it has already done: but I shall readily go as far as any others." Mass. Arch., XXII. 424. Five days later he reported that he had met little countenance in his efforts to make the petition acceptable to ministry or merchants. "All the servants of power say they don't desire to oppress, but seem determined that the

united efforts of their respective Agents to obtain for us some relief from the Burdens we already labor under as well as to prevent any additional ones that may be intended.[1]

Your recommending to the Court the Choice of an Agent who was a native of the Country prevented your Friends at this sessions moving the joining of your Brother, indeed the members of the Court (which met at this time solely with a view to prepare the Petition abovementioned) at this Busy Season were in such an hurry that they [woud] not have been perswaded to enter upon an affair, which it is probable woud have taken some time to have settled, had this affair have come under consideration I believe they woud have determined not to have sent any person from this side of the Water as it woud have been very expensive; You have all the necessary papers respecting the several Boundaries and doubtless you will employ the best Councill you can obtain upon these matters; If it woud not be too much trouble I shoud be obliged to you to inform me in what forwardness the settlement of the Boundaries betwixt this Province and New York is. If I mistake not Mr. Bollan wrote some time ago that it was determined in our Favor but it was thought not expedient

---

colonies shall pay their Share of the National Expence; and I fear the Majority and Minority will both agree in this. The Merchants talk much, but cannot bring them to act. They say why don't the Agents write, apply, and take the Lead? The Agents say the Merchants will be much better attended to than they. Some of the Agents will not meet, and but one has ever come near me to facilitate such a Meeting. However, I don't despond, as all the North American Merchants have some Esteem for me; nor am I upon Ill terms with any one in the Ministry." Mass. Arch., XXII. 426. February 6, 1765, a bill for imposing Stamp duties in the Colonies was introduced into Parliament and no member could be found willing to present the petitions of New York, Virginia, and Massachusetts.

[1] Copies of the petitions from Rhode Island and New York are in the Society's collections (012.4, ff. 156, 158).

to give Judgement till the war was over for fear of giving offence to any of the Colonies. please also to inform when the Boundaries betwixt this Province and Connecticutt is likely to be settled.[1] I am with great Respect Your most humble Servant, THOMAS CUSHING.

### THOMAS CUSHING TO JASPER MAUDUIT

BOSTON, November 17, 1764.

SIR, — This will be handed you by Mr. Bela Lincoln, a Gentleman of my acquaintance whom I recommend to you[r] Patronage. Any respect shown him will be gratefully acknowledged; His Father is one of our Council, he himself is a Member of the House and Represents the Town of Sherburne and can inform you, more particularly than I can do by Letter, of the Sentiments of the Members of the General Court respecting the late Act of Parliament as also relative to that which is proposed to be pass'd the next Sessions. The House of Representatives were clearly for making an ample and full declaration of the exclusive Right of the People of the Colonies to tax themselves and that they ought not to be deprived of a right they had so long enjoyed and which they held by Birth and by Charter; but they coud not prevail with the Councill, tho they made several Tryalls, to be more explicit than they have been in the Petition sent you. In short they were reduced to this alternative, either to join with the Council in the Petition forwarded you by the Secretary, or to petition by themselves; and considering they had wrote you fully upon the matter of Right the last session and had sent you a small tract entituled The *Rights of the British Colonies*[2] in

[1] A letter from the General Court to Mauduit, dated November 27, 1764, and relating to the boundary disputes with New Hampshire, Rhode Island and Connecticut, is in Mass. Arch., LVI. 432

[2] By James Otis.

general and of the Province of Massachusetts Bay in particular briefly Stated, which they then desired and expected you woud make the best use of in your Power, they thought it the less necessary to remonstrate by themselves at this time, and therefore upon the whole determined to have the weight of the Council as far as they coud, and so concluded to join with them in the present petition tho' not so full as they coud have wished. You will therefore collect the sentiments of the Representative Body of People rather from what they have heretofore sent you than from the present Address. As the People throughout this Continent are greatly alarm'd at this Infringement, as they apprehend, of their most Essential Rights, I hope their Sentiments will have their due weight with the Parliament. I conclude with great Respect Your most humble Servant,

THOMAS CUSHING.

## GENERAL COURT (?) TO JASPER MAUDUIT[1]

BOSTON, November 28th, 1764.

SIR, — The two Houses in their Petition to the House of Commons have represented, that the Duty laid upon foreign Molasses by the late Act is so high, that it must undoubtedly have the Effect of an absolute Prohibition.[2]

[1] "The Copy of this Letter was sent to Jasper Mauduit, Esqr., November 28th, 1764: and to Mr. Jackson in the Spring following 1766." — Note on the MS., which is in this Society's collections (024.3).

[2] "I have had the taking off or lowering the Duty on Foreign Molasses much at heart, and have tried various measures to get a Bill into the House for that purpose; but the Ministry will make no Alterations at present, and the New England Merchants are against its being brought in this Session; the former say we ought not Repeal an Act before it has been tried: the latter say they are as yet too much in the dark to support the Reasons I have drawn up, and particularly that they have not now sufficient Authority from their Correspondents to say the Trade cannot bear it, and will not be carried on at 3*d* per Gallon Duty. . . . The English Distillers say, we will send the Americans our own Corn Spirits. The Sugar Planters say, we will send them Rum. The Ministry

It seems the Advocates for the Colonies in the House of Commons thought the Trade would bear two Pence; this we learn by a Letter from a Member of Parliament to the Committee of Merchants in this Town; his Words are these: "The Reason we put it so high as two Pence was, the French suffering our Vessels to go to their Islands, and to carry off Molasses without the Expence of Passports, or the Risque of Seizure. This having been lately established by Proclamation, you could afford two Pence as well as the Penny you were always willing to pay before this Indulgence, and Security took Place." Whether there was ever such a Proclamation as above mentioned published or not, we can't take upon us to determine; but we can affirm with Certainty, that the French are more difficult and exact with respect to granting Liberty for Trade than heretofore; they will suffer none to trade without Permits, and these Permits are very costly: The Business must be transacted by such a Person as they appoint, who is allowed Ten per Cent. for doing the Business; he charges the Molasses as he pleases, and no Questions must be asked; In short, the Fees are as high, and the Insecurity as great as ever: If therefore the Reason abovementioned was what induced the Parliament to put the Duty so high, that Reason not subsisting, it is presumed they will not continue it at the present Rate; However, admit that the French would allow us to trade without the least Burthen or Incumbrance; admit the Trade would bear the present Duty on Molasses, and notwithstanding the many Burthens and Embarrassments it is attended with, it should still be in some measure

---

say, they may Distill their own Corn; and also that the Ceded Islands will in a little time make Molasses enough: 'tis not difficult to give a fair and full answer to these, but politicks are not founded in Argument." *Mauduit to the Committee of the General Court,* March 8, 1765.

continued, the Revenue arising from it, and from the other Articles charged with a Duty, cannot in any Measure be equal to the Expectations of the Ministry, or any Ways adequate to the Expence of collecting it. As to the Duties on Cambrick, Lawn, Callicoes and other foreign manufactures imported into the Colonies from Great Britain; these are only Articles of Luxury, which we can easily dispense with the use of; and as our Trade must be greatly cramped by the Scarcity of Money, arising from the constant Exportation of as much of it as the Duties may annually amount to; necessity will oblige us to do without them; we shall find it difficult to pay for as many coarse Goods as we really want, little or none of those Articles therefore will be imported; it will be much the same case with Spanish and Portugal Wines, when charged with two Freights and the Duties; and with the Impost and Excise laid upon them by this Government they will be too high for Consumption: The only Articles therefore, on which any Duty worth mentioning will be raised, are Wines from the Islands, and foreign Molasses and Sugars.

As to Wines, it is computed, about 400 Tons are annually imported into this Province, which at £7. per Ton is about £2800. But as our Trade will be lessened, we shall not have Means left to pay for so much, by one half; we must use Cyder and Malt Liquors; the first we have plenty of; the latter we can make near equal in Goodness to any in Great Britain.

As to Molasses, it is supposed we import as much as all the other Governments together; and the Extent of what we have annually imported is about ten Thousand Hogsheads, which (if the Duty had been paid on all that has been imported) at three Pence per Gallon would not have exceeded £10,000. The Quantity of brown Sugars may be

about one Thousand Hogsheads, the Duty of which would amount to £2000. By this Calculation it appears that the whole of the Duties that might be collected in this Province would not exceed £15000. and this supposing our Trade continues full as extensive as before the Act took Place, a Supposition highly improbable. Upon this view of the Matter, can it be imagined that the Revenue which may be raised, will in any Degree answer the Expectation of the Promoters of it? Will it in any Measure countervail the Burthens it will bring on the Inhabitants of these Colonies? Can it be put in the Balance against the Risque there will be of ruining the Trade, Fishery and Navigation of the Colonies, and the Detriment that will thereby accrue to the Commercial Interest and Manufactures of Great Britain? Will it be any Ways adequate to the Expence of collecting it; and to the Charge that the Crown will be at to prevent a clandestine Trade? The Numbers of Men of War, and small Cutters employed for this Purpose from Newfoundland to Jamaica, on board of each of which there is one or more officers of the Customs; the additional Number of Custom House Officers appointed upon this Occasion throughout the Continent, the erecting a new Court of Vice Admiralty over all America, with a Salary of £800. per Annum for the Judge, and proportionable Salaries for the Register and Marshal, must certainly create a Charge much more than adequate to all the Duties that will be collected: This Estimate is made upon a Presumption that our Trade will continue as extensive as it has heretofore been.

But we apprehend it can be clearly demonstrated that the present Duty upon Molasses and Sugar will have the Effect of an absolute Prohibition; and therefore in a short Time no Revenue from those Articles will accrue to the Crown.

The present Price of Molasses on the Continent, is no more than ten Pence half Penny Sterling per Gallon, (at which Price Rum will barely pay a Freight; when shipt off to any other Market, nor is Rum likely to bear a higher Price, seeing the French at Guadalupe are increasing their Distilleries, and will be able to undersell us at all foreign Markets) from this is to be deducted one Penny half Penny per Gallon for the Cask, and two Pence for the Freight, which is the lowest it can be brought for; what remains after these Deductions (and nothing allowed for the Cost of Insurance) is seven Pence clear, which is but one Penny per Gallon above the Price it is generally sold for at the foreign Islands, where it often exceeds, but never is under that Price; hence it is evident that a Penny per Gallon is all the Profit that can be made by the Importation of this Article, provided the Trade was free from any Duty; and this is sometimes lost by Leakage; but if we are obliged to pay three Pence per Gallon Duty, we shall at least be two Pence per Gallon Losers: The Case is much the same with Sugars, Coffee and Indigo, the Duties are so high, especially upon the white Sugars, that they Can't be imported without Loss; the Merchants it may justly be concluded, will not pursue a Trade so disadvantageous; the Goods will not be imported, and consequently no Revenue will be raised.

The natural Tendency which the Limitation, Restriction, or absolute Prohibition of our Trade with the foreign Sugar Islands, has to destroy our Navigation and Fishery, in a former Letter, has been fully set forth. There is another Branch of Business which has been but lightly touched upon, we mean the Lumber Trade. The Exportation of Timber, Boards, Staves, Hoops and other Articles of Lumber, tends greatly to promote the clearing and cul-

tivating our unimproved Lands, and is a great Incouragement to our Infant Settlements; it improves a great Number of Hands to cut the Lumber, and prepare it suitable for a Market; it employs more than an hundred Sail of Vessels in this Province, which is a great Incouragement to Ship Building, a considerable Branch of Business with us; These Vessels are sent, some direct to Europe, but cheifly to the West Indies; the nett Proceeds of Numbers of them, of their Freights and Cargoes center in Great Britain: The Restraint laid upon the Exportation of this Article from the Colonies to any Part of Europe, except Great Britain, and the Regulations attending the Exportation of it to those Places where it may be legally carried, must not only be very prejudicial to this Trade; and consequently detrimental to the Province, but seems to militate with the general Design of the Act, as it prevents our sending Staves to the Azores, an article we principally depend upon to pay for the Wine we import from thence, and from which the Duties laid by this Act are partly to be raised. This Restraint appears the more grievous, as it is an Article that no way interferes with the Produce of our Mother Country; and we have an ample Fund of it to supply, not only Great Britain, but all the other Markets in Europe; which if this Restriction is continued, will be supplied from Norway and other foreign Parts; but if we must by no means be permitted to carry it to any Parts of Europe, Great Britain excepted, it would have been much better to have prohibited the Exportation of it to those Parts upon the severest Penalties, than to have it encumbred with the Bonds, the Masters of our Vessels are now obliged to give upon lading of it, the Cost of the Bonds, Certificates, and the Charge of cancelling them, it is computed, will be near equal, if not superior to the first Cost of all

the Lumber we have ever in one year sent to Spain or Portugal. For not only the Masters of such Vessels as are bound abroad, are required by the Officers of the Customs, to give these Bonds, but the Masters of all our Coasting Vessels; so that no Lumber can be brought from the Place of its Growth, in the eastern Parts of this Province to Boston, or any other Port within the Province, whether for Exportation, or for our own Use, until such Bond is given. This must create a great Expence, as well as occasion great Embarrassment to the Trade. This Regulation appears the more needless in respect of Pine Boards, as we do not know of any being sent to any other Parts of Europe besides Great Britain.

The Duty laid upon all Wine imported from Spain and Portugal is a great Hardship; as this Government have already laid an Excise amounting to £9.0.0 Sterling per Ton upon that Article. The obliging all our Vessels which have that Article, or any Oyl, Raisins or Lemmons on board, to touch at Great Britain in their Passage from these Places, must be attended with great Inconvenience and Loss; some of these articles it is well known, are of such perishable Nature as not to admit of being reshipped; by this Means the clear Profits of these Voyages will be lost; and we shall be able to make but one Voyage instead of two as usual in the Season; which will be an unspeakable Damage to our Fish Trade; and consequently to the Mother Country.

Upon the whole, the Burthens, Perplexities and Embarrassments brought upon the Inhabitants of these Colonies by means of the late Act, are many and various. The Revenue that will arise from it if the Trade is continued, will be very triffling; and the Consequence that will follow from the rigorous Execution of it, will be very fatal to the

Colonies, as well as to the Trade and Manufactures of Great Britain.

Great Britain by means of the Colonies enjoys an extensive Trade, which as she has the absolute Regulation of, she draws to herself the Fruits of the Labour of many Thousand industrious Hands; whatever they acquire redounds to her Benefit, it all flows into Great Britain, and is less than sufficient to purchase what they want of her Manufactures. The Balance of Trade being always against the Colonies, is of itself sufficient to evince that Britain draws from her Colonies, with respect to Money Matters, every Thing they can yield. The constant Demand for British Manufactures, and other Goods imported from Great Britain is so great, as to take off every Thing that will serve for Remittances from the Colonies. The Way then to reap greater Advantages from them, is to enlarge their Trade, as to furnish them with the means of procuring more valuable Remittances. To extend their Trade to the foreign Islands in the West Indies, and permit them to carry it on free Duty would effectually do this. To allow them to bring directly from Spain and Portugal, Wine, Oyl and Fruit would answer the same valuable Purpose; For this would enable the Colonies to supply those Countries with Fish and Wheat; the whole of the Proceeds of which, except the Cost of a Cargo of Salt, and a little Wine and Fruit center in Great Britain.

On the contrary, the obstructing, embarrassing or prohibiting any of these Branches of Commerce, must finally lessen the Trade between Great Britain and her Colonies; it must lessen the Ability of the People to pay for British Manufactures; and whatever lessens that Ability, must proportionably lessen the Consumption, and consequently the Importation. From hence it is evident that Great

Britain can gain Nothing by the Imposition of Duties and Taxes on her Colonies: For if she does at present, and if it will always be in her Power to draw all their Riches to herself by a Regulation of their Trade, it will be to no Purpose to attempt to get more.[1]

---

[1] October 31, 1764, Mauduit desired the General Court to appoint an agent in his place, as his health prevented his further service. January 24, 1765, Richard Jackson was chosen, and it was determined that no power of attorney given to an agent should run for more than three years from the date of his choice, and that within that period the agent should be removable at the pleasure of the Court. Mauduit received notice of the new appointment April 9, and turned over to Jackson all papers and records of the agency before May 1, thus closing his service. The General Court passed his accounts in which he had filled in no sum for salary. After allowing him the usual commissions on money expended, it voted him a salary of one hundred pounds a year during the time he had been agent. This called from him the letter printed *infra*, p. 180, from Mass. Arch., XXII. 449.

"You will probably receive by this ship a commission for the agency of this province, with instructions in a letter from the Secretary, but lest she should be sailed before they are prepared I thought it would not be amiss to acquaint you that yesterday being the time appointed by the Council and House of Representatives for the choice of an agent, the many other candidates being laid aside the controversy lay between you and the late agent's brother, for whom there were 44 votes, 66 for you, and 2 for me from a foolish attachment of 2 members, altho' I had in the most public manner declared I could not accept, and had desired every friend I had to vote for Mr. Jackson. You would otherwise have counted 68. There would have been a general vote if a blind bigotry had not influenced some who suppose none but a dissenter from the established church fit for any post, and fear of prejudicing us in our controversy with Connecticut had not influenced others. Some perhaps would have stood from a disaffection to the Governor, he having zealously promoted your interest.

"I hope you will not refuse to accept. I can give you no assurance of a return adequate to your services, but I know you have friends who will endeavor it. I assure you I feel more pleasure in our carrying this point, than I did when the Court gave me their vote, for I think they have done themselves honor, and I know you can do them service." *Hutchinson to Jackson*, January 25, 1765. Mass. Arch., XXVI. 128.

"Before the Court met the Secretary had received letters from Mr. Mauduit with a resignation of his powers of agency, his health not admitting of his attendance on any of the public boards. The Governor proposed to Mr. Gotte and to me our engaging for Mr. Jackson. We both told him our prior obligations were for Mr. Bollan. He replied that he was perfectly willing we should use our interest to Mr. Bollan, that he knew it would be agreeable to Mr. Jackson. I knew Mr. Jackson had wrote the Governor that he thought no person so fit for an agent as you. For several days after the session began pains were taken to engage the members in your favor, but it appeared very evidently that a majority could not be engaged. The party which was resolutely bent for Israel

JASPER MAUDUIT TO THE SPEAKER

London, 4th Septr., 1765

Sir, — The Resolutions of the General Court of the 18th June are now before me. I read them with astonishment, and with a degree of Indignation, which I hope does not exceed the occasion. What have I done? or wherein have I been deficient in my duty to the Province, to deserve so publick an affront, as the Voting me a Salary of a hundred a year? Wherein have I failed in my respect to the General Court, that they should choose to offer it? Wherein have I discover'd such a meanness as to give reason for them to think that I wou'd accept it. If the General Court had ask'd it as a favour, that I wou'd serve the Province for nothing; or had desired my assistance in any of your pub-

Mauduit it was feared would prevail, let who would be set up against him, and either your friends must strike in for Mr. Jackson or Mr. Mauduit would be chose, and altho' it is a reflection upon the country and a proof of their ingratitude as well as wrong judgment, yet I am fully satisfied if those who are most firmly attached to you in the Court had not been the means of dividing the opposition to Mauduit, there would have been the utmost danger of his coming in.

"You know very well the inconstancy of such assemblies and that their minds and votes are changed by small circumstances. The Governor I am satisfied would not have discouraged any of your friends from voting for you, but it was generally supposed that Mr. Jackson was his peculiar friend. This circumstance secured many for him who would not have been for you; and besides after it was agreed and determined that he should be opposed to Mauduit, the Governor exerted himself with more zeal than he would have done for anybody else and more than I ever knew him use on any other occasion, and if he had not, I think the other side would have prevailed." *Hutchinson to Bollan*, March 4, 1765. Mass. Arch., xxvi. 130.

Jackson wrote to Secretary Oliver, June 13, 1765: "I have in a former Letter acquainted you with my Intention to deserve the Confidence the Province have done me the honour to place in me, as far as lies in my Power. I am sensible this extends but a little way, but I shall endeavour to supply its Defects by my Diligence and Sincerity. The Passionate Desire I truly have to serve all the American Colonys is the only Quality I can pretend to, as a Recommendation, and that Quality will always make me at any time see with great pleasure the Appointment of an able Successor. I repeat again the sense I have of the Honour the Confidence of your Province does me." Mass. Arch., lvi. 449.

lick charities, I might have given 'em a hundred Pound: but I little expected to see such a sum proposed to me as a Salary. I am sorry your divisions and mutual Quarrels, which both parties among you know that I have always discouraged, should have put a Majority of the Court so far out of the possession of their better judgment. But how much soever they may mistake the debt due from them, I am not to be wanting in what is due to myself and my own character.

When I first took the charge of your affairs I found your Accounts in confusion. Your Bills drawn on your former Agent remaining unpaid, and running at Interest. I had to compute that Interest and to wrangle off any undue demands. If any mistake or loss had been made, I must have been answerable for them.

The General Court knows that Mr. Bollan's accounts are before me: I might have expected they wou'd have seen, that I charge a lower Commission than what I am intitled to; less than other Provinces readily allow, and less than your own Agent charged before me. Did I in return for this moderation deserve to be contemptuously put upon a Level with a common Clerk?

They might without doubt have trusted the Province's Money with a person mean enough to accept of such a Vote, who might have paid their Bills for them, or might have gone off with the Money. But if they choose to have responsible people, they must be content to make the proper allowance.

The Commission due upon money sollicited and Bills paid, stands independent of the Salary of Office. And I gain'd you three times the amount of that Commission, by recovering a good part of one desperate debt only, which appears by your Letters to have been in a manner given

up: If the General Court wou'd have listen'd to my advice my Brother might have got for you the whole Ten thousand.

Have I often confined myself in Town during the hottest part of the Summer, at other times been at the expense of expresses to Bath and Tunbridge, which I never charged to the account; Have we come posting out of Distant Counties at an hour's warning, in order to attend the Summons of the Treasury upon your business, and shall any one offer me a hundred a year for this?

The General Court may recollect that at the time of their choosing me their Agent, I knew nothing of their design. The appointment therefore was not of my seeking, but their own. I have served them with Fidelity and with attention, and, by my Brother's assistance, with a Success greater than they had the least hope of. The Province has in no year saved less than a Thousand, this year will probably reap two thousand Pounds Benefit from one single Act of Parliament, which he by himself plann'd, sollicited, and carried through both Houses, without putting the General Court to the Expence of a single Shilling: and even without their knowing any thing of the matter. A common Sollicitor's Bill, if he had employ'd one, wou'd have come to a hundred Pounds. In return for this the General Court voted him their barren thanks; and now offer me a Salary which is not equal to porterage and coach-hire.

But I will not reproach them with either of our Services. They have from time to time voted their publick Thanks, and thereby put it out of their power to deny them. I shall ever wish to retain the good Opinion of the Province, and be ready to do them any good office; but the General Court must set a much higher value upon their

thanks than I do, if they expect that they shou'd pass for a payment. Ever since I undertook the office, I have put myself to a standing expence of more than Three hundred a year in Clerks and other necessary requisites to their Service. Can the allowance of one hundred repay this? or does the General Court think their empty Compliments are equivalent for the other two? I was unavoidably obliged to keep another Carriage and pair of Horses upon the Province's Account: for I did not think it reasonable to confine my family at home, while I was waiting whole days together at the public offices to do their business.

I know too much of public assemblies to expect Gratitude from party: But I am sorry that your little dissentions should be continually standing in the way of the general Interest. Will it give dignity to the Character of any succeeding Agent, or add weight to his Sollicitations, to let it be seen in your Votes that he is a man whom you think capable of receiving a Salary not greater than the Gains of some of our Porters? Does the General Court hope to raise him in the Esteem of the several Boards here, by their thus publickly debasing him in their own. It were better for them surely to abate a little of the pompous title they give their Agent, and not let him stand as representative of the Province at the Court of Great Britain, before they sink him into Contempt by publickly voting him the Salary of a private Steward.

For myself, after having for every year of the Agency given and voted more than a hundred pounds to your publick charities, I will not accept of a Vote which in the terms of it appears to me to carry Insult added to Ingratitude.

If the General Court thinks fit to allow the Five Hundred pounds a year, as I shall charge in my Acco't directed

to the Treasurer, they may then order him to draw for the Balance. In the mean time till I have their determination (as I have wrote to him) I shall accept for no more than Six thousand pounds. I am, with the greatest regard for the welfare of the Province, Sir, your humble Servant

JASPER MAUDUIT.

P. S. I shall not copy absurdity and print this Letter before it is received. But when it arrives, as the General Court has been so fond of publications, they are very welcome to insert it in their Journals; for I do not think myself in any danger of suffering in the publick Estimation for having pointed out the mistake of those who think to serve the Province by affronting the friends of it.

### ANDREW OLIVER TO JASPER MAUDUIT

BOSTON, 16 November, 1767

SIR, — I wrote you under the 20th and 30th of October by Cap'n Jarvis; the latter being a particular reply to your favour of the 22d of August; and the former serving to convey to you by order of the Commissioners of your hon'ble Company,[1] a copy of a letter they had wrote to the Rev'd Mr. Wheelock; since which your Commissioners have receiv'd from him an Answer to the said Letter, to which they have made a reply, that is intended for a close of the Correspondence, Copies of both which I am directed to transmit to you, and they accordingly come inclosed herewith: but I must ask your excuse for sending them transcribed by a raw hand, as I really had not time to copy them myself.

I advised Mr. Wright by Cap'n Jarvis of the receipt of two Bales of Blankets, and of the acceptance of Messrs.

[1] Society for propagating the Gospel.

Lane & Company's bill on Mr. Benjamin Greene for £120. 5.7 L. M. for the benefit of Harvard College, which I have accordingly endorsed over to the College Treasurer not doubting of its being punctually paid. I am with very great respect Sir Your most obedient humble Servant,

And'w Oliver.

# INDEX

# INDEX


Adams, John, on Otis, xx; Mayhew, xxiii; Episcopacy, xxv; Trowbridge, xxvii; Chauncy, xxxiii; Gray, xxxiv; Bollan, 29 *n*; Mauduit, 58 *n*.
Adams, Samuel, on the Olivers, xxi.
Affleck, ——, *Captain*, 64.
Agents, Colony, letter of, 55.
Allegiance, 40.
America, rights of, examined, 39.
Amherst, Jeffrey, xxxv, 20, 21, 22, 55, 56, 58, 81, 140; letter, 89; certificate, 90, 91, 93, 99, 102.
Anderson, ——, 153 *n*.
Annet, Peter, 109.
Aplin, John, 114.
Apthorp, East, on Society for propagating Gospel, 105; spy, 110, 113; closing of church, 113 *n*; review of Mayhew, xxv, 114.
Apthorpe, Charles, 24 *n*.
Apthorpe, Grizel, 24 *n*.
Aufrere, George, 56.

Bagley, Jonathan, 7 *n*; regiment payroll, 11, 20.
Bagley, Nathaniel, 12.
Bailey, William, 10.
Baldwin, Jeduthon, 10.
Bancroft, John, 9.
Bankrupts, Massachusetts act on, 18.
Barclay, John, 56.
Barnard, Salah, 9.
Baron, Oliver, 10.
Baron, ——, 136.
Barrons, William, 83.
Basset, Barachiah, 11, 83.
Bean, David, 12.
Bent, Lemuel, 10, 84.
Bernard, Francis, 8, 82, 123, 137, 142 165; on Bollan's dismissal, 26 *n*, 78; English church, 30; Mt. Desert grant, 69; grant of charter to college, 70 *n*; recommends Hutchinson for governor, 77 *n*; defeats Israel Mauduit, 88, 124; Otis, on, 97.
Berry, George, 12.
Bills of Exchange, 15*n*, 33, 88, 93, 98, 125, 145; unpaid, 25.
Bishop for America, 30 *n*.
Blake, Edward, 11, 84.
Bollan, Frances Shirley, 67.
Bollan, William, 91, 93, 102, 135, 161, 179 *n*; account of, xviii; Hutchinson to, 3; special claim of Massachusetts, 7 *n*; parliament grant, 8 *n*, 24; shipping specie, 14 *n*; letter to speaker, 15, 28; Oliver, 24; on fee act, 16; suspending clause, 17; dismissed from agency, 26 *n*, 66, 78, 124; "Coloniae Angliae," 28, 67; Adams on, 29 *n*; Mayhew on, 37; Mauduit consults, 58; investments in Massachusetts, 60; support, 72; career and connections, 76; stoppages, 98; fee to clerk, 102; favored, 131; accounts, 149, 166, 168 *n*.
Bowdoin, James, 3 *n*.
Bowman, *Rev.* Joseph, 73 *n*.
Bounties, service, 13, 20, 23, 82, 84.
Bourne, Sylvanus, 11.
Bowdoin, James, 16 *n*, 33 *n*, 39 *n*, 53 *n*, 74, 119.
Bowers, Jerathmeel, 26 *n*.
Bradbury, John, 26 *n*.
Bradford, Gamaliel, 11.
Brattle, William, 32, 66.
Bromfield, Abigail, 162 *n*.

Bromfield, Edward, 162 *n.*
Bromfield, Thomas, 162.
Brown, Henry Young, 84.
Brown, Silas, 83.
Browne, Arthur, 114.
Burt, John, 9.
Burton, ——, 107.
Bute, Earl of, 57, 59; Goldthwait on, 96.
Butterfield, Jonathan, 10.
Byram, *Ensign*, 84.

Callender, *Rev.* Elisha, 3 *n.*
Callo, ——, *Captain*, 123.
Calvin's case, 46.
Canada, conversion of Indians, 74.
Caner, Henry, xxv; replies to Mayhew, 108.
Cappes, James, 154, 155.
Carey, Samuel, *Captain*, 64, 132, 136.
Cargill, James, 12.
Carver, Jonathan, 83.
Cary, Simeon, 10.
Castle William, cannon from, 3; plan of, 4 *n.*
Chadburn, Humphrey, 11.
Champion and Hayley, 91, 158.
Charles, Robert, 56.
Charlestown, N. H., 35 *n.*
Charters, grant by governor, 69, 72, 80.
Chauncy, Charles, xxxii, 80, 87; letters to Mauduit, 71, 115, 118; on college charter, 72; sermon, 73; on Gospel society, 115.
*Chesterfield*, 22.
Church, John, 10.
Churchwood, ——, *Captain*, 123.
Clark, ——, *Dr.*, 65.
Clause, suspending, in province acts, 16, 25, 39.
Cobb, Thomas, 10.
College, in Western Massachusetts, xxix, 70 *n.*
Colonies, advantage to England, 43.
Commissary General, payments, 13, 85.
Commissions to agents, 168 *n.*
Connecticut, 168; boundary dispute, 35, 170; grant, 141.
Cooper, ——, 80.
Cotton, John, xxi, 9, 54, 142.
Cotton, Roland, 92, 98.
Council, privy, rejects incorporation of New England society, 75 *n.*
Cowden, Thomas, 83.
Cox, Ebenezer, 9.
Cromartie, *Captain*, 81.
Crown Point expedition, cannon and stores, 3.
Cushing, Thomas, xxviii, 39 *n*, 164 *n*; dismissal of Bollan, 26 *n*, 32; letters to Mauduit, 68, 123, 127, 130, 135, 136, 145, 158, 160, 167, 170; woollens, 125, 162.
Cutler, Timothy, 108.

Dana, Richard Henry, 60 *n.*
Danforth, Samuel, 3 *n.*
Dashwood, *Sir* Francis, xxvi, 57, 59.
Davenport, William, 12.
Davis, Israel, 11.
Davis, *Captain*, 88, 98.
Decoster, Ann (King), 3 *n.*
Decoster, Temple, 3.
De Lancey, James, 97.
Delaware, grant, 141.
Dissenters, protestant, in England, 87, 120.
Drummond, Andrew, & Co., 56.
Drummond, Henry, 56 *n.*
Dunbar, Josiah, 83.
Dunbar, Lemuel, 11, 83.
Dunlap, John, 84.
Dunk, George Montague, Earl of Halifax, 143.
Durell, Philip, seamen under, 4, 21, 89.

Eliot, Andrew, xxxv; letter to Mauduit, 119.
Elizabeth, Queen, 43.
Episcopalians, American, Otis, on, 30; Mayhew, 104, 107.
Exchequer tallies, 15 *n*, 24.

Farrington, Thomas, 83.
Fay, Aaron, 10.
Fee act of Massachusetts, 15.
Fees, treasury, 102, 154, 157.
Fellows, John, 10.
Fisheries, molasses act, 132.
Fleming, Caleb, 108, 112.
Fletcher, Jonathan, 10.
Fort Dummer, 35.
Foster, Thomas, 26 *n*.
*Fowey*, 8 *n*.
Frye, Joseph, claim for service under, 5, 7 *n*, 12, 14.
Furnass, John, 10.

Gardiner, John, 157.
Gardner, Andrew, 151.
Gay, Jotham, 11.
General Court, Massachusetts, power of legislation, 18, 39.
George, Samuel, 11.
Giddings, Andrew, 11.
Glover, Samuel, 11.
Goddard, William, 114.
Gold, purchase and remittance, 8 *n*; price, 15 *n*.
Goldthwait, Thomas, 26 *n*, 90, 127; secretary at war, 96.
Gotte, ——, 179 *n*.
Gray, Harrison, 8, 14, 82, 86, 102, 154; John Adams on, xxxiv; advertisement, 15 *n*; Canadian Indians, 74; letters to Mauduit, 88, 97, 103, 125, 145, 157.
Gray, Harrison, Jr., 158.
Gray, James, 83.
Gray, ——, 164 *n*.
Great Britain, colonial policy, 160; trade, 178.
Greene, Benjamin, 185.
Grenville, George, xxx, 140, 146 *n*, 147 *n*, 159 *n*.

Halifax, Earl of, *see* Dunk.
Hall, Abijah, 10.
Hamant, Timothy, 84.
Hammond, Timothy, 10.
Hanbury, John, 24.
Hanners, George, 11.
Harnden, Samuel, petition, 120.
Harris, Giles, 84.
Hart, Moses, 83.
Harvard College, 119, 185; lottery, 16 *n*; opposes a new college, 70 *n*; fire, 150.
Harvey, John, 10.
Hayley, Champion and, 91, 158.
Herrick, Israel, 12.
Hoar, ——, *Colonel*, 83, 84.
Hodges, Nathaniel, 10.
Holland, Henry, Lord, 142.
Holland, trade with, 137.
Hollis, Thomas Brand, 88; American Episcopate, 30 *n*; commends Mauduit, 80, 86; letters to Mayhew, 105, 108; relations with Mauduit, 107, 113, 142 *n*; on Secker, 109.
Holmes, Ephraim, 11, 83.
How, P., 154.
Hubbard, ——, 110 *n*.
Hunter, Thomas Orby, 140.
Hunter, ——, *Captain*, 118.
Hutchinson, Israel, 12.
Hutchinson, Margaret (Sanford), 31 *n*.
Hutchinson, Thomas, xviii, 39 *n*, 62; letters to Bollan, 3, 19, 22, 32, 143, 165, 167 *n*, 179 *n*; desires agency, 31; on Bollan's dismissal, 32; chief justice, 66; Otis on, 77, 95; on Mauduit, 127 *n*; molasses act, 130 *n*; letters to Jackson, 143 *n*, 179 *n*; agent, 143 *n*, 145, 148, 152, 155, 161, 163; letters, 161 *n*, 163, 166 *n*; on Pownall, 165, 166 *n*.
Hyslop, William, 73.

Independence, Spirit of, xxii.
Indians, conversion of, 74, 166; captives, Preble family, 121.
Ingall, Joseph, 9.
Insurance of coin, 8 *n*.
Invalids, company of, 84.

Jackson, Richard, xxxi, 54, 56, 149, 152, 155, 158, 161, 168; associated with Mauduit, 31, 36; candidate for agency, 78, 95, 115, 124, 128; Hutchinson favors,

127 *n*; elected agent, 179 *n*; accepts, 180 *n*.
Jacobson, ——, *Captain*, 81.
Jarvis, ——, *Captain*, 126, 184.
Jeffries, Simon, 84.
Johnson, Samuel, 108.
Jones, William, 10.
Jones, William, of Bristol, 151.

Keen, Abel, 11, 83.
Keith, ——, bookseller, 111.
Kinnoull, Earl of, 15 *n*.

Lane and Company, 185.
Lardner, Nathaniel, 108.
*Launceston*, 61, 62.
Learned, Jeremiah, 10.
Letters, address of agent's, 79.
Liberty, defined, 40.
Lincoln, Bela, xxxii, 170.
Lotteries, prejudice against, 16.
Louisburg, winter service, 6, 9 *n*, 22, 57, 89, 91.
Lumber trade, 175.

Martin, Samuel, 55, 81, 99.
Martin, ——, 153.
Mary, Queen, on conversion of Indians, 74.
Massachusetts, position of governor, xvii; claim for special service, 3, 14 *n*, 19, 35, 94, 99, 140; military accounts, 1759, 8; 1761, 81, 82, 89; fee act, 15; requisitions recognized, 45; loans to, 60; Hollis on, 142 *n*; acts, 151; petition on taxation, 167.
Mauduit, Israel, xxxvi, 107, 153; as associate agent, 76, 87, 92, 94, 95, 99, 123, 128, 149, 161, 165, 169, 179 *n*; "Considerations on German War," 87; rejected, 88; memorial on molasses duty, 144 *n*, 158; letter, 149 *n*, 150; whale fishery, 150.
Mauduit, Jasper, sale of papers, v; account of, xvii; election to agency, 26 *n*, 66; Otis notifies, 29; Oliver, 33, 36; Mayhew, 37; instructions, 39; agents' letter, 55 *n*, 56, 57; consults Bollan, 58; Adams on, 58 *n*; dissenting interest, 66, 87; letter to H. Gray, 74; society for converting Indians, 74; conduct approved, 91, 151; newspaper abuse of, 96; letters to speaker, 98, 146 *n*, 159 *n*, 180; accounts, 102, 142, 149, 153, 154; relations with Hollis, 113, 142 *n*; letters to Oliver, 153, 156; on petition, 168 *n*; wishes to resign agency, 178 *n*; indignation over allowance, 180.
Maxwell, ——, *Captain*, 157.
Mayhew, Experience, xxiii.
Mayhew, *Rev.* Jonathan, 80, 150; John Adams on, xxiii; on American Episcopate, 30 *n*; letters to Mauduit, 37, 86; on charter to new college, 70 *n*; society for converting Indians, 75 *n*; sermon, 88 *n*; "Observations on Society for propagating Gospel," xxiv, 103; note on, 104; letters to Hollis, 107 *et seq;*
Maynard, Stephen, 10.
Mayo, Jeremiah, 11.
Millar, Andrew, Mayhew's tracts, 105, 109.
Mohawks, missionary preacher, 73.
Molasses, duty on French, 101; act, xxx, 130, 137, 145, 158, 160, 164 *n*, 171; memorial on, 144 *n*, 151; statistics of trade, 173.
Moores, Edmund, 11, 83.
Morey, Thomas, 26 *n*.
Moulton, Johnson, 83.
Mounier, T. M., Mehitabel Preble and, 122.
Mount Desert, grant of, 69.

*Neptune*, 4.
Newall, Joseph, 11.
New Hampshire, claim against, 35; grant, 141.
New Jersey, grant, 140.
Newport, 103.
*New Swallow*, 151.
New York, 167; boundary dispute, 35, 169; grant, 140.

Nixon, John, 10, 83.
Noble, Asa, 10.
North, Frederick, Lord, 57, 59.
Nova Scotia, winter service, 5, 6, 9 *n*, 12, 22, 57, 89, 91.
No. 4 (Charlestown, N. H.), 35.

Oliver, Andrew, 8, 14, 63, 73, 74, 82, 116 *n*, 122, 142, 168 *n*; account of, xx; family influence, xxi; letter to Bollan, 21; on Mauduit's election, 31, 79; letters to Mauduit, 33, 36, 54, 81, 89, 91, 92, 151, 184; orders a wig, 91.
Oliver, Mary (Sanford), 31 *n*.
Oswald, James, 57, 59.
Oswego, cannon and stores, 3.
Otis, James, Sr., 32, 64, 66; molasses act, 146 *n*.
Otis, James, Jr., xx, 130, 164 *n*, 168 *n*; dismissal of Bollan, 26 *n*, 76; on Bollan's book, 29 *n*; letters to Mauduit, 29, 76, 95; elected by Boston, 66; on Hutchinson's ambitions, 77; "Rights of British Colonies," 170.

Page, William, 9.
Paine, Robert Treat, on Mayhew, xxiv.
Parker, Gideon, 12, 84.
Parker, Moses, 84.
Parliament, grant for America, 27, 55, 59, 93, 126, 155; petition, 99; act on customs revenue, 130; royal warrant for grant, 139.
Payne, Samuel Clark, 9.
Peabody, Francis, 10.
Peck, Samuel, 12.
Petition to Treasury and Parliament, Mauduit on, 99.
Phillips, John, election of Mauduit, 26 *n*, 32, 39 *n*.
Pioneers, regiment of, 12.
Portsmouth, 103.
Postlethwaite, Malachy, 136.
Powell, Jeremiah, dismissal of Bollan, 26 *n*.
Pownall, Thomas, 4, 152; Durell's agreement, 5, 21; on suspension clause, 18; Hutchinson on, 165, 166 *n*.
Preble, Ebenezer, 121, 121 *n*.
Preble, Mary, 121, 121 *n*.
Preble, Mehitabel, 121 *n*.
Preble, Rebecca, 121 *n*.
Preble, Samuel, 121 *n*.
Preble, William, 121 *n*.
Preble's regiment, 12.

Quincy, Edmund, 127.

Reed, James, 9, 83.
Rhode Island and Providence plantation, 141, 168.
Richmond, Silvester, 10.
Rivington, John, 114.
Robinson, Samuel, 10.
Rowe, M., 60.
Royall, Isaac, 26 *n*.
Ruggles, Timothy, xxxv, 26 *n*, 54, 123, 142; letters as speaker, 91, 98.
Ruggles' regiment, pay-roll, 9.
Rum, price of, 138, 175.
Russell, Chambers, 60; molasses act, 146 *n*.

Saltonstall, Richard, 26 *n*, 83, 84.
Sandys, Samuel, Lord, on fee act, 15; lotteries, 16.
Sanford, Margaret, 31 *n*.
Sanford, Mary, 31 *n*.
Sanford, William, 31 *n*.
Saunders, ——, 26 *n*.
Sayer, Joseph, 26 *n*.
Seamen under Durell, wages of, 4.
Secker, Thomas, Archbishop of Canterbury, 105, 116; Mayhew's tracts, xxiv, 109, 113.
Sewall, Stephen, 66.
Sewall, ——, 153.
Sharpe, John, 127 *n*.
Sheaffe, Edward, *Captain*, 64, 164 *n*.
Shephard, William, 83.
Sherwood, Joseph, 56.
Shirley, Frances, Bollan marries, 76.
Shirley, William, 3; loan to province, 24; Shirlean faction, 76.
Silliman, Ebenezer, 161 *n*.

Silver, price, 14 *n*; scarcity, 62; shipment, 64,
Smith, Elijah, 10.
Smith, Joseph, 12.
Snow, Jabez, 11, 83.
Society (English) for propagating the Gospel in Foreign Parts, xxiv, 74; note on, 104; resolves against New England, 113.
Society (N. E.) for propagating Christian knowledge among the Indians, xxv; Mauduit on, 74; Mayhew's "Observations," 103, 104; opposition to, 116, 119, 120; action taken, 118.
Society (Scotland) for propagating Christain knowledge, 73, 153 *n*.
Stamp duties, 147 *n*, 148, 164 *n*, 169 *n*.
Stirling, Lord, claims against Massachusetts, 27, 35.
Sturgis, Samuel, 12.
Subject, in law, 46.
Sykes, Richard, 10.

Taplin, John, 83.
Taxes, and representation, 130 *n*; originate with people, 146; committee on, 147; petition of General Court, 167, 170.
Thacher, Josiah, 11.
Thacher, Oxenbridge, 143 *n*, 164 *n*.
Thomas, John, service of regiment, 6; regiment pay roll, 11.
Thomlinson, John, 24, 56.
Thwing, Nathaniel, 7 *n*, 84.
Toleration in colony, 46.
Tonyn, ——, 8 *n*.
Treasury, minutes on colony grant, 57, 59; petitioning, 99; fees, 102.
Trecothick, Barlow, 24, 31, 37.
Trecothick, Grizel (Apthorpe), 24 *n*.
Trowbridge, Edmund, John Adams on, xxvii; letter to Bollan, 60; molasses act, 146 *n*.
Turner, *Sir* John, 57, 59, 140.
Tyler, Royall, 39 *n*, 98, 154, 157; election of Mauduit, 26 *n*, 32; molasses act, 146 *n*.
Tyng, John, 98.

Walker, Sylvanus, 10.
Washburn, Charles Grenfill, obtains Mauduit papers, v; account of, xvii.
West, ——, 25.
Western, Charles, 67 *n*.
Western, Charles Callis, Baron, 67 *n*.
Western, Frances Shirley (Bollan), 67 *n*.
West Indies, molasses act, 132; troops for, 146 *n*; influence in Parliament, 150; French duties, 172.
Whale fishery, 150.
Wheelock, Eleazar, 184.
Wheelwright, John, 3.
Whipple, Stephen, 11.
Whiting, Leonard, 9, 83.
Whitmore, ——, 6 *n*.
Wightwick, *Mrs.* Mary, 152.
Willard, Aaron, 10.
Willard's regiment, pay roll, 10.
William III, charter to Gospel Society, 104.
Williams, Job, 9, 83.
Williams, John, 12.
Williams, ——, 26 *n*.
Wines, duties on, 173.
Winslow, John, molasses act, 146 *n*.
Wright, ——, 184.



6
#965